

**IN THE HIGH COURT OF JUDICATURE AT HYDERABAD
FOR THE STATE OF TELANGANA AND THE STATE OF ANDHRA PRADESH**

WRIT PETITION NO.23281 of 2015

Between :

Siddalingam Dharmaiah S/o.Gunnaiah,
Aged 64 yrs, Occu : Labour work,
D.No.6-7-1/1, Chinnadarga Veedhi,
Naidupeta, SPSR Nellore District.

.. Petitioner

and

The State of Andhra Pradesh,
Rep., by its Commissioner of Endowments,
Dharmika Bhavan, Boggulakunta,
Hyderabad & others.

.. Respondents

DATE OF JUDGMENT PRONOUNCED : 29.07.2015

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SUBMITTED FOR APPROVAL:

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THE HON'BLE SRI JUSTICE P.NAVEEN RAO

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1. Whether Reporters of Local Newspapers : Yes / No
may be allowed to see the Judgments ?

2. Whether the copies of judgment may be : Yes / No
marked to Law Reporters/Journals

3. Whether Their Lordship wish to : Yes / No
see the fair copy of the Judgment ?

THE HON'BLE SRI JUSTICE P.NAVEEN RAO

WRIT PETITION No.23281 of 2015

ORDER :

The petitioner claims to be the owner and in possession of house site situated in D.No.6-7-1/1, Chinnadarga Village, Naidupeta Mandal, SPSR Nellore District. This writ petition is instituted challenging the notice issued to the petitioner on 10.07.2015 by the 4th respondent, directing the petitioner to vacate the subject premises which he is in illegal occupation.

2. The case of the petitioner is that he is the owner of the above property and the temple has no right or competency to evict him. In support of the said contention the receipts issued by the Municipality are filed. However, no material is placed on record to show that the title validly vests in him and that he is the owner of the property, and to disprove the stand of the respondent-temple, that the temple is the owner. After receipt of notice of eviction dated 10.07.2015, no further steps are taken by the petitioner even to place on record before the temple, that he is the owner. But, a vague statement is made without any substance.

3. Learned counsel for the petitioner submits that straight away an order is passed directing the petitioner to vacate the premises and due process is not followed. I see no merit in the said contention. The notice itself speaks of following due process seeking to vacate the petitioner. But the petitioner did not vacate the premises and no further steps are taken by him to prove his ownership. Hence, no case is made out by the petitioner to interfere with the impugned order.

4. Accordingly, the Writ Petition is dismissed. Any observations made in this writ petition do not come in the way of the claim of the petitioner as available to him in law. There shall be no order as to costs.

Miscellaneous petitions, if any, pending in this writ petition shall stand dismissed.

P.NAVEEN RAO,J

29th July, 2015.
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