

THE HON'BLE SRI JUSTICE RAJA ELANGO

WRIT PETITION No.32697 of 2014

ORDER:

1. This writ petition is filed seeking to declare the action of the respondents in interfering with the rights of the petitioners in respect of house site plots allotted by the 4th respondent in Sy.No.132 situated at Paradesipalem Village, Visakhapatnam Rural Mandal, Visakhapatnam District.

2. It is stated in the affidavit that the petitioners are the landless poor and that the land in question was divided into plots by the 4th respondent and those plots were allotted to various beneficiaries including the writ petitioners. The petitioners had started constructing the houses therein. While so, respondents 2 and 3, without there being any lawful right, are illegally interfering with the process of the house construction activity of the petitioners.

3. Heard and perused the material available on record.

4. From the averments in the affidavit, it is obvious that it is the apprehension of the petitioners that they may be dispossessed from the possession of the land in question. In order to substantiate that the petitioners are in possession of the above land, nothing has been produced before this Court. However, taking into consideration the submissions made by the learned Counsel for the petitioners, the writ petition is disposed of with the following direction:

“If really the petitioners are in possession of the land in question as claimed by them, the respondents are directed not to evict them without following due process of law. If the respondents intends to evict the petitioners from the land in question, they may do so by following due procedure of law.”

No order as to costs. Consequently, the miscellaneous petitions pending, if any, shall stand closed.

RAJA ELANGO, J

Dated:24th February, 2015

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