

HON'BLE SRI JUSTICE CHALLA KODANDA RAM

WRIT PETITION No.7360 OF 2016

ORDER:

The writ petition is filed challenging the action of the respondents 2 and 3 in seeking to evict the petitioners from their respective shops of the 3rd respondent-Dharma Satram, without issuing any prior notice or any opportunity of being heard.

The case of the petitioners is that they are the tenants of the 3rd respondent-Dharma Satram and doing petty businesses like Cool Drink shops, Tea Stalls, Cycle Repair Shop etc, since long years. While so, on 1.3.2016, the Endowments Inspector, Nandigama along with the Executive Officer of the neighbouring Ramalayam Temple came to the shops of the petitioners and informed them to vacate their respective shops immediately, as otherwise, the respondents 4 and 5 would take necessary steps to vacate the petitioners forcibly. It is stated that no prior notices were issued to the petitioners to vacate their premises and further they are eaking out their livelihood by doing petty trade businesses in the said shops. It is the further case of the petitioners that if notices are issued, they will give their explanation to defend their rights as per law.

Learned standing counsel appearing for the 3rd respondent-Dharma Satram submits that the allegations made by the petitioners are false. If really the petitioners are to be evicted, the respondents-authorities would follow the due process of law and appropriate steps would be taken in accordance with law.

In the light of the submissions made by the respective counsel and in view of the admitted facts of the case that the petitioners are in possession and enjoyment of their respective shops, their possession shall not be interfered with by the respondents without following due process of law as enjoined whether under the Endowment Act or in any other law.

Accordingly, the writ petition is disposed of directing the respondents not to interfere with the possession and enjoyment of the respective shops of the petitioners except following due process of law. No order as to costs.

In view of the disposal of the main writ petition, Miscellaneous Petitions, if any pending in this writ petition shall also stand closed.

CHALLA KODANDA RAM,J

Date:08.03.2016.

Gk

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