

HON'BLE SRI JUSTICE C. PRAVEEN KUMAR

WRIT PETITION No. 13251 of 2016

ORDER:

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Heard learned counsel for the petitioners, Government Pleader for Revenue and learned Standing Counsel for respondent No.2. With the consent of all the parties, the writ petition is taken up for disposal at the admission stage itself.

The present writ petition is filed with the following prayer:

“Issue a writ of mandamus declaring the action of the second respondent in interfering with petitioners’ peaceful possession and enjoyment of their respective houses in H.Nos.5-1-278, 5-1-280, 5-1-280/1, 5-1-276/1, 5-1-279/1 of Sivanagar, Badvel Town, Kadapa District, as illegal, irregular, irrational, without jurisdiction and violative of provisions of the Andhra Pradesh Municipalities Act, 1965 and rules framed there under; and consequently direct the second respondent not to interfere in any manner with their possession over the said house properties.”

The grievance of the petitioners is that without giving any notice and without following due process of law, the respondents are trying to dig a drainage canal by removing the compound wall.

Learned Standing Counsel for the second respondent submits that no steps will be taken without following due process of law. Even otherwise it is his case that some part of the road was encroached by the petitioners.

Recording the statement made by the learned Standing Counsel for the second respondent, the writ petition is disposed

of directing the respondents not to take any coercive steps without following due process of law. No order as to costs.

Consequently, miscellaneous petitions, if any, pending in this Writ Petition shall stand closed.

**JUSTICE C. PRAVEEN
KUMAR**

22.06.2016
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