

THE HON'BLE SRI JUSTICE CHALLA KODANDA RAM

WRIT PETITION No. 37005 OF 2016

ORDER :

The petitioners, who claim to be the self-employees, have been running petty business in the bunks installed in the government land near Chittoor Bus Stand in Madanapalle Town. While so, on 24.04.2011, the officials of the respondents directed them to vacate the premises within a week and tried to remove the bunks, without issuing any notice. Hence, the petitioners approached this Court and filed Writ Petition No. 12524 of 2011, which was allowed by the order dated 10.06.2014 directing the respondents not to forcibly dispossess the petitioners. It was made clear that any action that might be taken should only be in accordance with law, after following the principles of natural justice. However, again, on 25.10.2016, Respondents 2 to 4 and their subordinates have visited the premises in question and warned the petitioners to vacate the same in a week's time. Hence, this Writ Petition.

Heard learned counsel for the petitioners.

Learned Standing Counsel for the 2nd respondent Sri M.D. Sallem submits that the petitioners have occupied the river bed and thereby preventing the water flow, hence, seeking their eviction from the subject premises cannot be found fault with.

It is a well-settled principle that before affecting eviction of a person, the procedure contemplated under law, has to be followed. Hence, the 2nd respondent shall take appropriate action against the

petitioners strictly in accordance with law, duly following the principles of natural justice. Considering the fact that on earlier occasion, this Court directed, till such time action is initiated in accordance with law, the respondent authorities shall not interfere with the possession of the petitioners, similar direction shall follow even in the present case.

With this, the Writ Petition stands disposed of. No costs.

Consequently, the miscellaneous applications, if any shall also stand disposed of.

31st October 2016

ksld

CHALLA KODANDA RAM, J

