

THE HON'BLE DR. JUSTICE B.SIVA SANKARA RAO

WRIT PETITION No.18220 OF 2017

ORDER:

This writ petition is filed, under Article 226 of the Constitution of India, for the following relief:

“to issue an appropriate writ, order or direction more particularly one in the nature of Writ of Mandamus declaring the high handed action of the respondents particularly the respondents 2 and 3 in attempting to dispossess and demolish the petitioner from Zinc Sheet Roof house/Church bearing Door No. 6-52, Tadigadapa Village, Penamaluru Mandal, Krishna District, without following the due procedure i.e., without issuing any notice under any Statute and without conducting any enquiry and without passing any order, as opposed to Law, arbitrary, unjust, malafide and against the Principles of Natural Justice and against the Constitutional guarantees and to consequently direct the respondents not to demolish and dispossess the petitioner from the subject property in the interest of justice.”

2. Heard the learned counsel for the petitioner and also learned Government Pleader for Panchayat Raj, by recording offer to file vakalat and counter, if any, by Sri Ravi Cheemalapati, representing respondents 2 and 3, this writ petition is disposed of with the following direction:

“From the grievance of the petitioner that without even notice and opportunity, the respondents are trying to dismantle the premises in question, by

directing the respondents to remove the encroachment by adopting due process of law under the Land Encroachment Act, 1905 and the Panchayat Raj Act, 1994.”

3. Accordingly, this writ petition is disposed of. Miscellaneous petitions pending consideration, if any, in this case shall stand closed in consequence. No order as to costs.

DR.B.SIVA SANKARA RAO,J

07.06.2017

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