

HON'BLE SRI JUSTICE S.V. BHATT

W.P.No.24064 OF 2016

ORDER:

The petitioners pray for the following relief:

“....this Hon'ble Court may be pleased to issue an appropriate writ, order or direction more particularly one in the nature of Writ of Mandamus declaring the acts of the respondents in interfering with the petitioners possession and enjoyment including attempts to dispossess from the petitioners respective house sites situated in an extent of 0-05 cents each covered by Sy.No.460/2 of Jangareddygudem, West Godavari District by fencing the same high handedly, 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 interfere with the petitioners possession and enjoyment of the subject property in any manner including the petitioners dispossession by fencing the same and to pass”

The case of petitioners is that on 15.06.2003 through Roc.No.341/2003 (A), an extent of Acs.0-05 Cts in Sy.No.460/2 of Jangareddygudem was granted in favour of petitioners and the assignment is subsisting as on date. The respondents without recourse to law are interfering with petitioners' possession or inducting third parties into possession of subject matter of writ petition. Hence, the writ petition.

On 22.07.2016, this Court directed respondents not to interfere with petitioners' possession and enjoyment, without following the due process of law. The interim order is subsisting as on date.

The respondents have neither filed counter affidavit nor at least sent instructions in the matter or pointed out any reason to deviate from the interim order dated 22.07.2016.

After perusing the material on record and also the limited grievance of petitioners, I am satisfied the writ petition can be disposed of by making the interim order as final order. Hence, the respondents shall not dispossess the petitioners from subject land, except in accordance with law.

The writ petition is, accordingly, disposed of. There shall be no order as to costs.

Consequently, pending miscellaneous petitions, stand closed.

24th July, 2017

Lrkm



S.V.BHATT, J