

THE HONOURABLE SRI JUSTICE RAJA ELANGO

WRIT PETITION No.4027 OF 2010

ORDER:

This writ petition is filed under Article 226 of the Constitution of India seeking the following relief:-

“to issue a Writ of Mandamus or any other appropriate writ, order or orders, direction or directions to direct the Respondents to act in accordance with law and not to interfere with the peaceful possession and enjoyment of the petitioner of the land of 10 Guntas in Sy.No.703, situated at Kotagalli, Nizamabad District, subject matter of O.S.No.158/2004 on the file of Senior Civil Judge, Nizamabad District without following due process of law.”

2. The main grievance of the petitioner is that the respondent Corporation is interfering with the peaceful possession and enjoyment of the petitioner over the aforementioned land without following the due process of law.

3. Heard and perused the material available on record.

4. Considering all the facts and circumstances of the case, this Court is of the view that the writ petition can be disposed of with the following direction:

The respondent Corporation is directed not to interfere with the peaceful possession and enjoyment of the petitioner over the aforementioned land without following the due process of law and if the respondent Corporation claims the said land for public purpose and wants to protect the same, it shall issue notice to the petitioner and proceed in accordance with law.

5. Accordingly, the Writ Petition is disposed of. There shall be no order as to costs.

6. Miscellaneous Petitions, if any, pending in this Writ Petition shall stand closed.

JUSTICE RAJA ELANGO

01.03.2017
AMD



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Date: 01.03.2017

AMD