

HON'BLE SRI JUSTICE S.V. BHATT

W.P.No.25588 OF 2015

ORDER:

The petitioner prays for the following relief:

“....this Hon'ble Court may be pleased to issue a Writ or direction, or direction more particularly one in the nature of Writ of Mandamus declaring the action of the respondents 2 to 4 are trying to evict the peaceful possession and enjoyment of the house situated in Sy.No.267/1, Kothuru Village and Mandal, Srikakulam District belongs to the petitioner as illegal, arbitrary unjust, contrary to law and violation of principles of natural justice and consequently direct the respondents not to evict the petitioner from his house situated in Sy.No.267/1, Kothuru Village and Mandal, Srikakulam District and pass such.....”.

The prayer is against threatened eviction of petitioner from house referred above without recourse to law.

On 13.08.2015, time was granted to respondents to file reply. As on date, neither instructions are sent nor is reply filed by respondents 2 to 4.

The prayer in the writ petition is to follow the procedure stipulated by law before interfering with possession or right of petitioner. The prayer of petitioner is in line with the requirement of rule of law. This Court is of the view that respondents 2 to 4, if find sufficient circumstances to initiate action against the petitioner for eviction, issue notice, afford opportunity, pass orders and thereafter interfere with his possession.

Hence, the writ petition is disposed of by directing the respondents not to disturb the possession of petitioner, except in accordance with law. There shall be no order as to costs.

Consequently, pending miscellaneous petitions, if any, stand closed.

S.V.BHATT, J

12th June, 2017

Lrkm

