

HON'BLE SRI JUSTICE S.V. BHATT

W.P.No.25421 OF 2016

ORDER:

The petitioner prays for the following relief:

“....this Hon'ble Court may be pleased to issue a Writ, order or direction, especially one in the nature of Writ of Mandamus declaring the action of the 3rd respondent in attempting to dispossess the petitioner from an extent of Ac.1-15 cents in S.No.71-14, Paradesipalem Village, China Gadili Mandal, Visakhapatnam District as illegal, arbitrary and violative of principles of natural justice and contrary to the Art.300-A of the Constitution of India and consequently direct the 3rd respondent not to dispossess the petitioner from an extent of Ac.1.15 cents in S.No.7114 Paradesipalem Village, China Gadili Mandal, Visakhapatnam District, pending disposal of the above writ petition and pass.....”

On 09.08.2016, this Court granted interim direction to respondents not to evict the petitioner from the subject property, without following the due process of law. The interim order is subsisting as on date. According to petitioner, interfering with his possession or enjoyment is without recourse to law, illegal and unconstitutional.

In spite of granting sufficient time, the respondents have not filed counter affidavit or sent instructions in the matter or pointed out any reason to deviate from the interim order dated 09.08.2016.

Hence, without expressing view on merits, the interim order is made final order. The respondents are given liberty to enquire into the nature of possession etc., and proceed, if circumstances warrant, in accordance with law. Till the enquiry

is completed and orders communicated, the possession and enjoyment of petitioner shall not be disturbed.

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

Consequently, pending miscellaneous petitions, if any, also stand disposed of.

S.V.BHATT, J

27th July, 2017
Lrkm

