

THE HONOURABLE SRI JUSTICE CHALLA KODANDA RAM

WRIT PETITION No.10980 OF 2017

ORDER:

This writ petition is filed seeking to issue a writ of mandamus declaring the action of the respondents in taking steps to demolish the sheds of the petitioners bearing D.No.8-191, Anicut Road, Panganayakulapeta, Nellore Town, SPSR Nellore District, A.P. without recourse to law, as illegal and arbitrary, and consequently, direct the respondents not to meddle with the property and possession of the petitioners of the said site in any respect.

Heard and perused the material available on record.

The case of the petitioners is that they are in possession of the above said premises for more than two decades and they are eking out their livelihood by carrying out small business and that without following the due process, the authorities of the 3rd respondent are interfering with the possession of the petitioners over the said premises.

Learned Standing Counsel for the 3rd respondent submits that as per the material available with the department, one D.Bharath Kumar Reddy was in occupation of the said property and as a matter of fact, notices were issued to said Bharath Kumar Reddy to vacate the property and as the petitioners assert that they are in possession and enjoyment of the said property, necessary action would be taken in accordance with law by following due procedure.

Considering the respective submissions and as there is no dispute that the petitioners are in possession of the subject property for a long period and also considering the submission of the learned Standing

Counsel that the petitioners shall not be dispossessed without there being any orders of the competent authority, the writ petition is disposed of.

No order as to costs. As a sequel, miscellaneous petition pending if any, shall stand closed.

CHALLA KODANDA RAM, J

March 28, 2017

KTL

