

THE HONOURABLE SRI JUSTICE RAJA ELANGO

WRIT PETITION No.2240 OF 2012

ORDER:

This writ petition is filed under Article 226 of the Constitution of India seeking to declare the action of the respondents in trying to vacate the petitioners from their houses situated at Adivaram peta, Srikakulam Town, Srikakulam District, without following the due process of law, as illegal and arbitrary and consequently, direct the respondents not to vacate the petitioners from their houses without providing alternative houses to them.

Heard and perused the material available on record.

The case of the petitioners is that they are eking out their livelihood by doing coolie works and they are in possession and enjoyment of the subject land from the past 20 years by constructing small houses and the same were also recognized by the government. The grievance of the petitioners is that from the past one year the respondents started harassing the petitioners to vacate the said premises without following the procedure and threatening to demolish the structures by using machines.

Considering the facts and circumstances of the case and the grievance of the petitioners, this Court is inclined to pass the following order:

The writ petition is disposed of directing the respondents not to demolish the structures of the petitioners, without following the due procedure. There shall be no order as to costs. Miscellaneous Petitions pending, if any, shall stand closed.

RAJA ELANGO, J

January 23, 2017
KTL