

HON'BLE SRI JUSTICE S.V. BHATT

W.P.No.12959 OF 2016

ORDER:

The petitioners pray for the following relief:

“...this Hon'ble Court may be pleased to issue Writ, Order or Direction more particularly one in the nature of Writ of Mandamus to declare the action of the Respondent No. 4 & 5 trying to dispossess the Petitioners and trying to lay the cement poles in the respective plots of Petitioners in Plot Nos.81 to 88 respectively in Survey No.304, Madhurawada Village, Visakhapatnam Rural is illegal arbitrary and violation of Art. 14, 21 and 300-A of Constitution of India and consequently direct the Respondents, not to interfere and dispossess the Petitioners from their respective Plots Nos.81 to 88, to an extent of 60 sq. yards each in survey No.304, Madhurawada Village, Visakhapatnam and pass.....”

On 19.04.2016, this Court granted the following interim direction:

“Admittedly, the subject plots have been assigned to petitioners by respondent Nos.1 to 3. It is not open to respondents to attempt to dispossess the petitioners without following due process of law and to plant any cement poles in their respective lands without following due process of law”.

The interim order is subsisting as on date. According to the petitioners, interfering with their possession or enjoyment is 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 19.04.2016.

Hence, without expressing any view on merits, the interim order is made final order and the respondents are directed not to interfere with the possession or enjoyment of the petitioners, except in accordance with law. There shall be no order as to costs.

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.

27th June, 2017

Lrkm



S.V.BHATT, J