

HONOURABLE SRI JUSTICE RAJA ELANGO

WRIT PETITION No.18574 OF 2017

ORDER:

1. This writ petition is filed by the petitioner seeking to direct respondents Nos.3 and 4 not to interfere with his property admeasuring 142 sq. yards in Sy.No.138 of Vepagunta Village, Visakhapatnam District.

2. The case of the petitioner is as follows:

The petitioner is the absolute owner of the above property. After obtaining approval of the plan from the 2nd respondent, the petitioner levelled the plot and dug pits and he has been proceeding with the construction activity in terms of the sanctioned plan. While so, the 4th respondent came to the above property along with his staff and demanded his workers to stop the work. On 3.5.2017, the petitioner informed about the unlawful interference of the 4th respondent to the 3rd respondent. Thereafter, the 4th respondent again tried to interfere with the possession of the petitioner. Hence, the petitioner filed this writ petition.

3. Heard and perused the material available on record.

4. When this matter has come up for hearing, it is submitted by the learned Government Pleader for Endowments that the subject property belongs to the temple.

5. The learned Counsel for the petitioner prayed that the respondents may be directed to follow the due process of law, if they claim that the subject property belongs to the temple.

6. Considering the rival submissions, without expressing any opinion on merits, this Court is inclined to pass the following order:

“The respondents are directed to follow the due process of law, if they intend to proceed against the petitioner in connection with the subject property.”

7. With the above direction, the Writ Petition is disposed of. No costs. Consequently, Miscellaneous petitions pending, if any, shall stand closed.

JUSTICE RAJA ELANGO

Dated: 12th June, 2017
Nn.



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