

THE HONOURABLE SRI JUSTICE RAJA ELANGO

WRIT PETITION No.3543 OF 2010

ORDER:

This writ petition is filed under Article 226 of the Constitution of India seeking the following relief:-

“to issue an order, direction or writ more particularly one in nature of Writ of Mandamus declaring the action of the respondents in demolishing and / or interfering with minor repair works being undertaken in respect of Mulgi bearing No.3-141 (old) corresponding to New No.14-3-68, admeasuring 16 Sq. Yards situated at Goshamahal, Hyderabad, without adopting due process of law, as arbitrary, illegal, unlawful, high handed, unreasonable, unjust, without any sanction of law, unwarranted and violative of Fundamental Rights guaranteed under Article 19 and 21 & 300-A of the Constitution of India, besides resulting in contravention of the provisions of Code of Criminal Procedure and consequently restrain the respondents from interfering with the subject property.”

2. The main grievance of the petitioner is that the respondents are interfering with the aforesaid property of the petitioner and trying to demolish the construction raised therein without following the due process of law.

3. Heard and perused the material available on record.

4. Learned Government Pleader for Endowments submitted that the petitioner is in illegal occupation of the subject property; that the petitioner does not have any title over the said property and he only relies on the decretal order granted in his favour in a civil suit; that the respondents intend to proceed against the

petitioner only in accordance with law and that they will follow the due process of law if they intend to evict the petitioner from the subject property.

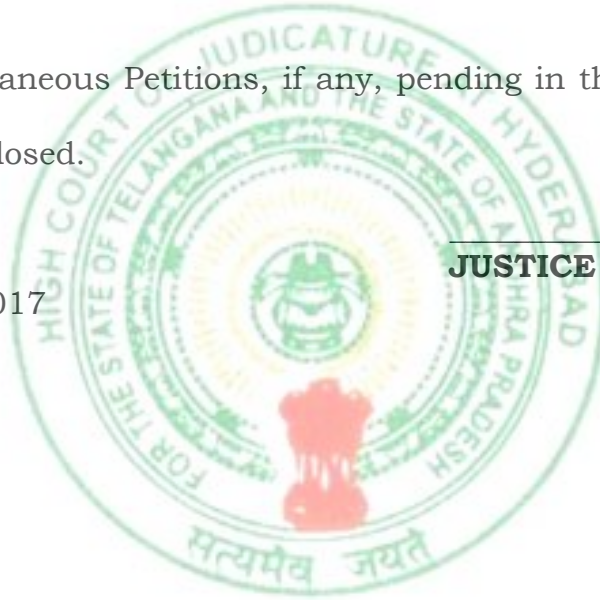
5. Recording the submission of the learned Government Pleader for Endowments, the respondents are hereby directed to follow the due process of law, if they intend to evict the petitioner from the subject property.

6. Accordingly, this Writ Petition is disposed of. There shall be no order as to costs.

7. Miscellaneous Petitions, if any, pending in this Writ Petition shall stand closed.

Date: 22.8.2017
AMD

JUSTICE RAJA ELANGO



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