

THE HON'BLE SRI JUSTICE M.SEETHARAMA MURTI

WRIT PETITION No.43015 of 2017

ORDER:

This Writ Petition, under Article 226 of the Constitution of India, is filed by the petitioners seeking verbatim the following relief:

“... to issue a writ, order or direction more particularly one in the nature of writ of Mandamus to declare the action of the respondents 2 & 3, who were trying to evict the petitioner's from their shop and house and trying to demolish the same bearing Door Nos.28-4-2 and 28-4-1 respectively situated at Mypadu Gate, Beside Anjaneya Swamy Temple, Stonehousepet, Nellore City, SPSR Nellore District is illegal, arbitrary and against the principles of natural justice and consequently direct the respondent authorities to stop the eviction and demolition of the petitioner property bearing Door Nos.28-4-2 and 28-4-1, situated at Mypadu Gate, Beside Anjaneya Swamy Temple, Stonehousepet, Nellore City, SPSR Nellore District and pass such other order or orders....’

At the hearing, learned counsel for the petitioners would submit that if a direction is given to the 2nd respondent not to interfere with the possession of the petitioners over the subject property except by following the procedure established by law, the ends of justice would be met.

Learned standing counsel appearing for the respondents 2 & 3, on instructions, would submit that the petitioners are encroachers of the property and that they are not entitled to seek any equitable relief and that only on mere apprehensions, the present writ petition is filed and that in the event the Corporation intends to take any action for eviction

of the petitioners, the Corporation would follow the procedure established by law.

Recording the afore-said submissions, the Writ Petition is disposed of directing the respondents 2 & 3 not to interfere with the possession of the petitioners over the subject property except by following the procedure established by law. There shall be no order as to costs.

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

22.12.2017

Note: Issue CC today.

[B/o]
Vjl



M.SEETHARAMA MURTI, J