

THE HON'BLE SRI JUSTICE T.AMARNATH GOUD

WRIT PETITION No.18760 OF 2007

ORDER

The case of the petitioners is that the respondents have demolished their house bearing No.D.No.52-10-36/A and 52-10-33/1 without following the procedure contemplated under Section 3 of 1905 or any other Act in vogue.

It is alleged that the petitioners are the owners of the land and house in an extent of 504 Sq.feet and 930 Sq. feet respectively in Ward No.7, Block No.20, T.S.No.979/ Annamma Ghati, Kakinada, and it is their ancestral property and they are in possession since time immemorial. The respondents, without following due process of law, initiated the proceedings and demolished the houses.

Mr.V.Vijay, learned counsel appearing on behalf of Mr.Subba Reddy, learned counsel for the petitioners submits that the petitioners obtained interim orders in W.P.M.P., since then they are in possession of the land and conducting business activity for their survival.

Mr. D.Krishna, learned Assistant Government Pleader for Revenue has placed the instructions before this Court and letter addressed by the Tahasildar in Ref. No.B/445/2018 dated 23.04.2018, wherein it is categorically stated that the petitioners are in possession of the property and conducting the business of cement pipe and are not evicted from the land in question. In support of his statement, photographs are filed. The same is taken on record.

Recording the submissions, the writ petition is disposed of directing the respondents not to dispossess the petitioners from the subject land, without following due process of law. No costs.

Miscellaneous petitions, if any, pending in this writ petition shall stand closed.

T.AMARNATH GOUD, J

Dt.29.06.2018
BV

