

HON'BLE SRI JUSTICE GUDISEVA SHYAM PRASAD

WRIT PETITION No.4626 of 2016

ORDER:

The Writ Petition is filed questioning the action of respondent No.4, in threatening to vacate the petitioner from house bearing No.15-139 situated at Bodapadu, Nunna Village and Gram Panchayat, Vijayawada, Krishna District, as illegal and arbitrary. She seeks a direction to official respondents not to interfere with her personal liberty and possession and enjoyment of the subject house.

Heard the learned counsel for the petitioner, learned Government Pleader for Home and learned Counsel for respondent Nos.5 and 6.

In the writ affidavit, petitioner averred that she is a physically handicapped person having suffered paralytic stroke; originally, an extent of Ac.0.03 cents of vacant house site was allotted to respondent No.5 in the year 1978 who, in turn, sold to Smt Mukku Ananthamma; the said Mukku Ananthamma having raised room with asbestors sheets sold to petitioner under an agreement of sale dated 22.11.2003; since then, she claims to be in possession; and, as the subject land is assigned land, the same could not be transferred in her name. The grievance of the petitioner is that respondent No.4, at the instance of respondent No.5 and 6, has been harassing to vacate the subject land and

handover to respondent No.5, otherwise, he would implicate her in criminal cases. Hence the writ petition.

Learned Assistant Government Pleader for Home, on instructions, submits that respondent No.4 neither interfered with the petitioner's possession nor had asked her to vacate the subject premises; case and counter case were registered between the petitioner and respondent No.5 and have been closed; and the disputes are purely civil in nature.

Though writ petition is of the year 2016, no counter is filed by the respondents. Having regard to the facts and circumstances of the case, and in the light of the instructions of learned Assistant Government Pleader for Home that police are not interfering with the petitioner's possession, it would suffice if interim order passed by this Court directing the police authorities not to interfere with the possession and enjoyment of the petitioner over the subject property except in accordance with due procedure laid down by law is made final order in the writ petition.

With the above observation, the Writ Petition stands disposed of.

Miscellaneous petitions, if any pending, shall stand closed.

GUDISEVA SHYAM PRASAD, J

Date:01.05.2018
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