

HON' BLE SRI JUSTICE C. PRAVEEN KUMAR

WRIT PETITION No. 37082 of 2018

ORDER:

- 1) Heard learned counsel for the petitioners, Government Pleader for Revenue and the Standing Counsel for Greater Visakhapatnam Municipal Corporation. With the consent of both the parties, the writ petition is heard at the admission stage itself.
- 2) The present writ petition came to be filed seeking issuance of writ of mandamus declaring the high handed action of respondents, particularly the respondents 3 to 5 in interfering with the petitioners' possession and enjoyment by attempting to demolish the structures existing in their house sites, situated in an extent of 160 sq.yards each in Plot Nos. 106 and 108, R.H.Colony, New Dibbapalem, Srinagar, Gajuwaka, Visakhapatnam, without following the due procedure of law, as illegal, arbitrary and unconstitutional.
- 3) The Standing Counsel appearing on behalf of the Greater Visakhapatnam Municipal Corporation would submit that the constructions made therein appear to be without any permission.
- 4) The Government Pleader for Revenue would submit that any action to be taken will be in accordance with law, provided the petitioners are in possession of the subject property.

5) Having regard to the above, the present writ petition is disposed of, holding that if the petitioners are in possession of the subject property, any dispossession or removal of structures raised therein, shall be in accordance with law. No order as to costs. Consequently, miscellaneous petitions, if any, pending in this Writ Petition shall stand closed.

JUSTICE C. PRAVEEN KUMAR

11.10.2018
DMG

