

HON' BLE SRI JUSTICE C. PRAVEEN KUMAR

WRIT PETITION No.43962 of 2018

ORDER:

1) Heard learned counsel for the petitioner, Sri Ancha Panduga Rao, learned Standing Counsel for the second respondent and Sri Jagadish Chandra Prasad, learned Standing Counsel for the third respondent. With the consent of all the parties, the writ petition is taken up for disposal at the admission stage itself.

2) The present writ petition came to be filed seeking issuance of writ of mandamus declaring the action of the respondents 2 and 3 in interfering with the peaceful possession and enjoyment of the petitioner in a house situated in Sy.No.98-18-A at Yathapeta Village, Kuslapuram Gram Panchayat, Etcherla Mandal, Srikakulam District and trying to demolish and dispossess the petitioner from her house without following any procedure established under law, as illegal and arbitrary.

3) The grievance of the petitioner appears to be that the respondent-authorities are trying to encroach on to the subject property and also interfering with the possession of the petitioner while widening the road, without following due process of law.

4) The learned Standing Counsel appearing for the second respondent would submit that any action to be taken by the authorities only be in accordance with law.

5) The learned Standing Counsel appearing for the third respondent would submit that the allegation of interference by the third respondent is improper and incorrect.

6) Recording the said submissions, the present writ petition is disposed of, directing the respondents not to interfere with the subject property except in accordance with the due procedure laid down by law. There shall be no order as to costs.

7) Consequently, miscellaneous petitions, if any, pending in this Writ Petition shall stand closed.

03.12.2018
gkv



JUSTICE C. PRAVEEN KUMAR