

HON'BLE SRI JUSTICE M.SEETHARAMA MURTI

WRIT PETITION No.43876 of 2017

ORDER.

This Writ Petition is filed seeking the following relief:

“... to issue a writ, order or direction more in the nature of Writ of Mandamus declaring the action of respondent No.2 and his subordinates in trying to interfere with the peaceful possession and enjoyment of the land of the petitioner to an extent of 40 cents in Sy.No.70/W2 of Joharapuram Village, Kurnool Mandal and District even without putting the petitioner on notice or following the due process of law as being illegal and arbitrary and in violation of principles of justice and fair play apart from being in violation of Article 21 of the Constitution of India and consequently, to direct the respondents not to interfere with the peaceful possession and enjoyment of the petitioner's land to an extent of Ac.0.40 cents in Sy.No.70/W2 of Joharapuram Village, Kurnool Mandal & District without following the due process of law.”

At hearing, Learned counsel for the petitioner would submit that if a direction is given respondent No.2-Municipal Corporation not to interfere with the possession of the petitioner over the subject property in any manner except by following the procedure established by law, the ends of justice would be met.

Learned Standing Counsel for respondent No.2-Municipal Corporation endorses the said submission.

Recording the above submissions of the learned counsel, the Writ Petition is disposed of directing the respondents not to interfere with the possession of the petitioner over the subject property in any manner whatsoever except by following the procedure established by law.

As a sequel, the Miscellaneous Petitions, if any, pending shall stand dismissed.

03rd January 2018
DR

JUSTICE M. SEETHARAMA MURTI

