

HIGH COURT OF ANDHRA PRADESH AT AMARAVATI

MAIN CASE No.: WP No. 14205 OF 2026

PROCEEDING SHEET

Sl.No	DATE	ORDER	OFFICE NOTE
1	08.05.2026	<u>NV. J</u> Issue notice to Respondent No.4, returnable in four weeks. Learned counsel for the petitioners is permitted to take out notice to Respondent No.4 by registered post with acknowledgment due and file proof of service into the Registry within four weeks. Post after Summer Vacation, 2026. Heard learned counsel for the petitioner and perused the orders of the Tribunal dated 05.01.2025. Petitioner No.1 herein is a widow and taking care of her only daughter – Petitioner No.2, aged 17 years. The petitioner is getting widow pension and Respondent No.4 mother of the petitioner also, getting old age pension as per the welfare schemes formulated by Respondent No.1. Learned counsel for the petitioners submit that, after the death of her husband/son of Respondent No.4, the petitioners and Respondent No.4 have been living together since 2016 without there being any quarrel or hindrance and in a disciplined manner, but suddenly, Respondent No.4 made a complaint application on 09.12.2025 at the instance of her daughter to enjoy entire property by eviction of the petitioners from the property, which property is joint family property and held by father-in-law of Petitioner No.1 and husband of Respondent No.4, who died intestate.	

He submits that, Petitioner No.1, being daughter-in-law is also entitled to share out of the subject joint family property, since her father-in-law died intestate leaving the only house property. Therefore, on the guise of complaint/application by Respondent No.4, the petitioners' right of residence/home cannot be deprived of. He further submits that, right of daughter-in-law should be considered on par with the right of widow of property holder. Therefore, eviction of Petitioner No.1 and her minor daughter/Petitioner No.2 in the absence of any independent income by Petitioner No.1 is nothing but depriving the right of home, which amounts to an offence of domestic violence under the provisions of the Domestic Violence Act.

Considering the submissions made by learned counsel for the petitioner, this Court is of the considered opinion that, the right of residence/home of the petitioners should be a paramount right, the same should be practiced till further orders.

After considering the submissions made by learned counsel for the petitioner, this Court opines that the petitioners' right to residence/home should be protected till further orders.

Accordingly, there shall be an interim direction, directing the respondents not to evict the petitioners, from one portion or part of the house on the condition that the petitioners should stay away from the portion of the house occupied by Respondent No.4.

Further, if any further complaints are received from Respondent No.4 by Respondent No.3, the petitioners' right to home to be reconsidered, especially if their conduct creates any danger to the life of Respondent No.4.

Therefore, the respondents are hereby directed not to evict the petitioners from part of house portion occupied by them for a period of six weeks.

NV, J

SP