

[3209]
IN THE HIGH COURT OF ANDHRA PRADESH AT AMARAVATI

(Special Original Jurisdiction)

FRIDAY, THE SIXTH DAY OF JANUARY
TWO THOUSAND AND TWENTY THREE



:PRESENT:

THE HONOURABLE SRI JUSTICE NINALA JAYASURYA

WRIT PETITION NO: 705 OF 2023

Between:

Thokala Raju Samuel, S/o. T. Samuel Aged about 56 years Occ. Agriculturist, R/o.
Door No.18-1-98, 30th Ward, Stationpeta, Narasapuram

Petitioner

AND

1. The State of Andhra Pradesh, Rep. by its Principal Secretary, Revenue Department Secretariat, Velagapudi, Guntur District
2. The District Collector, West Godavari District Eluru
3. The Sub-Collector, Narasapuram west Godavari District
4. The Narasapuram Municipal Council, Rep. by its Commissioner Narasapuram Municipality Narasapuram.
5. The Tahsildar, Narasapuram Mandal Narasapuram West Godavari District

Respondents

Petition under Article 226 of the Constitution of India is filed praying that in the circumstances stated in the affidavit filed therewith, the High Court may be pleased to issue a Writ, Order or direction more particularly one in the nature of Mandamus declaring the action of the Respondents in not responding in time on the complaint given by the Petitioner regarding burial of a dead body in the road margin as illegal, unlawful and arbitrary and in violation of guidelines issued by Government of Andhra Pradesh in G.O.Ms.No.1235, dated 25.10.2008 and in consequence thereof direct the Respondents not to convert the road margin in RS.Nos.345/1 and 345/2 into a new burial ground, in addition to existing burial ground.

IA NO: 1 OF 2023

Petition under Section 151 CPC is filed praying that in the circumstances stated in the affidavit filed in support of the writ petition, the High Court may be pleased to direct the Respondents to take timely action in case anyone intended to bury or cremate the dead body in the road margin in Survey Nos.345/1, 345/2 of Chinamamidipally village upon receipt of the information is given to the respondents, pending disposal of the Writ Petition No.705 of 2023, on the file of the High Court.

The petition coming on for hearing, upon perusing the Petition and the affidavit filed in support thereof and upon hearing the arguments of SRI.S.V.R.SUBRAHMANYAM Advocate for the Petitioner, learned Government Pleader for Revenue for Respondent Nos.1, 2, 3 & 4 and Sri.M.Manohar Reddy, learned Standing Counsel for Respondent No.4, the Court made the following.

ORDER:

Heard learned counsel for the petitioner and the learned Assistant Government Pleader for Revenue, who seeks time to secure written instructions in the matter.

List the matter after four (04) weeks.

In the meanwhile, the 3rd respondent is directed to take necessary action on the petitioner's representation dated 03.10.2022 duly considering the Government Orders with regard to the establishment of Burial Grounds.

**SD/- K.J. RAJA BABU
ASSISTANT REGISTRAR**

//TRUE COPY//

Foi SECTION OFFICER

To,

1. The Principal Secretary, Revenue Department, State of Andhra Pradesh, Secretariat, Velagapudi, Guntur District
2. The District Collector, West Godavari District Eluru
3. The Sub-Collector, Narasapuram west Godavari District
4. The Commissioner, Narasapuram Municipal Council, Narasapuram Municipality Narasapuram.
5. The Tahsildar, Narasapuram Mandal Narasapuram West Godavari District (1 to 5 by RPAD)
6. One CC to SRI.S.V.R.SUBRAHMANYAM Advocate [OPUC]
7. Two CCs to GP for Revenue, High Court Of Andhra Pradesh. [OUT]
8. One CC to Sri.M.Manohar Reddy, Standing Counsel [OPUC]
9. One spare copy

SRL



HIGH COURT

NJSJ

DATED:06/01/2023

NOTE: LIS THE MATER AFTER FOUR (04) WEEKS

ORDER

WP.No.705 of 2023

DIRECION

