

(SHOW CAUSE NOTICE BEFORE ADMISSION)
IN THE HIGH COURT OF ANDHRA PRADESH AT AMARAVATI
(SPECIAL ORIGINAL JURISDICTION)

WEDNESDAY ,THE FIRST DAY OF FEBRUARY

TWO THOUSAND AND TWENTY THREE

:PRESENT:
THE HONOURABLE SRI JUSTICE R RAGHUNANDAN RAO

WRIT PETITION NO: 2315 OF 2023

Between:

1. Mallapureddy Ramakumari, Aged 39 years, R/o 20-75-11, Durganagar, Payakaraopeta, Anakapalli District.
2. Dandem Prahalad, S/o Adiraju, aged about 45 years, R/o Durganagar, Payakaraopeta, Anakapalli District.

Petitioners

AND

1. The State of Andhra Pradesh, Panchayat Raj Department, Secretariat Building, Secretary, Velagapudi, Amaravati, Guntur District, Rep. by its Principal Secretary.
2. The District Collector, (Panchayat Wing), Anakapalli District.
3. The District Panchayat Officer, Anakapalli, Anakapalli District.
4. The Payakaraopeta Gram Panchayat, , Payakaraopeta, Anakapalli District, Rep. by its Secretary.
5. Akula Durga Prasad, S/o Venkateswarlu, aged about 35 years, R/o Durganagar, Payakaraopeta, Anakapalli District.
6. Matta Parvathi, W/o Matta Govinda Raju, Aged about 55 years, R/o Durganagar, Payakaraopeta, Anakapalli District.
7. Kommireddy Nageswara Rao, S/o Soma Raju, Aged about 50 years, R/o Durganagar, Payakaraopeta, Anakapalli District.
8. Pericharla Padmavati, W/o Late Surya Narayana Raju, Aged about 60 years, R/o Durganagar, Payakaraopeta, Anakapalli District.
9. Gaddam Lakshmi, W/o Late Krishna, Aged about 60 years, R/o Durganagar, Payakaraopeta, Anakapalli District.

Respondent

WHEREAS the Petitioner above named through their Advocate Sri V V N NARAYANA RAO presented this Petition under Article 226 of the Constitution of

India praying that in the circumstances stated in the affidavit filed therewith, the High Court may be pleased to issue a writ, order or a direction more particularly one in the nature of Writ of Mandamus declaring the action of the respondents Nos. 2 to 4 in not removing the illegal projection / encroachments on the public road made by the respondent Nos.5 to 9 in Durga Nagar, Payakaraopeta Village and Mandal, Anakapalli District, is highly illegal, arbitrary, unconstitutional, violation of Articles 14 and 21 of the Constitution of India and contrary to Sec.98 of Andhra Pradesh Panchayat Raj Act, 1994 and Rules made thereunder in G.O.Ms.No.555 Panchayat Raj and Rural Development (Rules) 3.12.1999 and consequently direct the respondents Nos. 2 to 4 to remove the illegal projection / encroachments on the public road made by the respondent Nos.5 to 9 in Durga Nagar, Payakaraopeta Village and Mandal, Anakapalli District .

AND WHEREAS the High Court upon perusing the petition and affidavit filed herein and upon hearing the arguments of Sri V V N NARAYANA RAO Advocate for the Petitioner and of GP FOR PANCHAYAT RAJ for Respondent Nos.1 to 3, Sri N SRIHARI, Standing counsel for Respondent No.4, directed issue of notice to the Respondents herein to show cause as to why this WRIT PETITION should not be admitted.

You viz:

1. The Principal Secretary, Panchayat Raj Department, State of A.P., Secretariat Building, Secretary, Velagapudi, Amaravati, Guntur District,.
2. The District Collector, (Panchayat Wing), Anakapalli District.
3. The District Panchayat Officer, Anakapalli, Anakapalli District.
4. The Secretary ,Payakaraopeta Gram Panchayat, , Payakaraopeta, Anakapalli District,.
5. Akula Durga Prasad, S/o Venkateswarlu, aged about 35 years, R/o Durganagar, Payakaraopeta, Anakapalli District.
6. Matta Parvathi, W/o Matta Govinda Raju, Aged about 55 years, R/o Durganagar, Payakaraopeta, Anakapalli District.
7. Kommireddy Nageswara Rao, S/o Soma Raju, Aged about 50 years, R/o Durganagar, Payakaraopeta, Anakapalli District.
8. Pericharla Padmavati, W/o Late Surya Narayana Raju, Aged about 60 years, R/o Durganagar, Payakaraopeta, Anakapalli District.
9. Gaddam Lakshmi, W/o Late Krishna, Aged about 60 years, R/o Durganagar, Payakaraopeta, Anakapalli District.

are be and hereby directed to show cause either appearing in person or through an Advocate, as to why in the circumstances set out in the petition and the affidavit filed therewith(copy enclosed) this WRIT PETITION should not be admitted on or before 20.02.2023 on which date the case stands posted for hearing.

The Court made the following: ORDER

"Notice before admission.

The learned counsel for the petitioner is permitted to take out personal notice to respondent Nos.5 to 9 by RPAD and file proof of service by the next date of hearing.

Sri N.Srihari, the learned Standing Counsel appearing for the 4th respondent seeks time to obtain instructions.

Post on 20.02.2023 in 'motion list'."

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

//TRUE COPY//

For ASSISTANT REGISTRAR

To,

1. The Principal Secretary, Panchayat Raj Department, State of A.P., Secretariat Building, Secretary, Velagapudi, Amaravati, Guntur District,.
2. The District Collector, (Panchayat Wing), Anakapalli District.
3. The District Panchayat Officer, Anakapalli, Anakapalli District.
4. The Secretary ,Payakaraopeta Gram Panchayat, , Payakaraopeta, Anakapalli District,.
5. Akula Durga Prasad, S/o Venkateswarlu, aged about 35 years, R/o Durganagar, Payakaraopeta, Anakapalli District.
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8. Pericharla Padmavati, W/o Late Surya Narayana Raju, Aged about 60 years, R/o Durganagar, Payakaraopeta, Anakapalli District.
9. Gaddam Lakshmi, W/o Late Krishna, Aged about 60 years, R/o Durganagar, Payakaraopeta, Anakapalli District.(Addressess 1 to 9 by RPAD- along with a copy of petition and affidavit)
10. One CC to SRI. V V N NARAYANA RAO Advocate [OPUC]
11. One CC to SRI. N SRIHARI, Standing Counsel [OPUC]
12. Two CCs to GP FOR PANCHAYAT RAJ RURAL DEV ,High Court Of Andhra Pradesh. [OUT]
13. One spare copy.

HIGH COURT

RRRJ

DATED:01/02/2023

POST ON 20.02.2023 IN MOTION LIST

NOTICE BEFORE ADMISSION

WP.No.2315 of 2023

DIRECTION

