

IN THE HIGH COURT OF ANDHRA PRADESH AT AMARAVATI

TUESDAY, THE SEVENTEENTH DAY OF MARCH ✓
TWO THOUSAND AND TWENTY ✓

:PRESENT:

THE HONOURABLE SRI JUSTICE BATTU DEVANAND ✓

WRIT PETITION NO: 6794 OF 2020 ✓



Between:

1. Adusumilli Visweswara Rao, S/o A.Rama Rao Aged about 68 years, Occ. Agriculture, R/o Kolavennu Village, Kankipadu Mandal, Krishna District, Andhra Pradesh - 521 153
2. Adusumilli Sarath Chandra Babu, S/o A.Tirumala Rao Aged about 70 years, Rio Flat No.102, Sai Ganesh Towers, SBH Colony, Polytechnic Post Office, Vijayawada - 520 008
3. Adusumilli Nagendra Kumar, S/o A.Srimannarayana Murthy, Aged about 60 years, R/o Kolavennu Village, Kankipadu Mandal, Krishna District, Andhra Pradesh - 521 153
4. Adusumilli Hemasundara Rao, S/o A.Radha Krishnayya Aged about 83 years, R/o Flat No.16, Vikram Apartments, Kanchukota Road, Ramachandra Nagar, Gayatri Nagar, Vijayawada - 520 010

Petitioners

AND

1. State of Andhra Pradesh, Represented by its Principal Secretary (Revenue), State Secretariat, Velagapudi Village, Guntur District, Andhra Pradesh.
2. The District Collector, Krishna District, Chilakalapudi, Machilipatnam, Krishna District.
3. The Revenue Divisional Officer, Vijayawada, Krishna District.
4. The Tahsildar, (Kankipadu Mandal) Kankipadu Mandal Village and Mandal, Krishna District.

Respondents

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 or order more particularly one in the nature of WRIT OF MANDAMUS declaring the action of the Respondents in trying to convert Ac.1-50 Cents (out of Ac.4-47 ½ Cents) situated in RS.Nos.480 and 481/1 of Kolavaeenu Village, Kankipadu Mandal, Krishna District belonging to Zilla Parishad High School as house sites to allot the same by way of transfer to various beneficiaries set up under Navaratnalu-Pedalandariki Illu Scheme in violation of the Andhra Pradesh Gram Panchayat Raj Act, 1996, the Andhra Pradesh Assigned Lands (Prohibition of Transfers) Act, 1977, Standing Order No.15 (BSO 15), 21 (BSO 21) of the Andhra Pradesh Board of Revenue Standing Orders, GO.Ms.Nos.367 dated 19/08/2019, 510 dated 30/12/2019 and 558 dated 02/03/2020 Revenue (Lands-I) Department as illegal, arbitrary, wholly without jurisdiction and violative of principles of natural justice and Articles 14, 21, 21-A and 300-A of the Constitution of India and consequently direct the Respondent Authorities not to convert the said land belonging to the Zilla Parishad High School for any other purpose.

IA NO: 1 OF 2020

Petition under Section 151 CPC praying that in the circumstances stated in the affidavit filed in support of the petition, the High Court may be pleased to direct the Respondents not to convert and transfer the land ad-measuring Ac.1-50 Cents (out of Ac.4-47 ½ Cents) situated in RS.Nos.480 and 481/1 of Kolavaeenu Village, Kankipadu Mandal, Krishna District belonging to Zilla Parishad High School as house sites to various beneficiaries set up under Navaratnalu—Pedalandatiki Illu Scheme and pass, Pending disposal of WP 6794 of 2020, 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 M R K CHAKRAVARTHY Advocate for the Petitioners, GP FOR REVENUE, Advocate for the Respondents and the Court made the following

ORDER :

Heard the learned counsel for the petitioners and the learned Asst. Government Pleader for Revenue appearing for the respondents, who sought time for getting instructions.

Post after four (04) weeks.

Meanwhile, there shall be interim direction to the respondents to maintain *status quo* as on today with respect to the land ad-measuring Ac.1-50 cents (out of Ac.4-47 ½ cents) situated in RS.No.480 & 481/1 of Kolavaeenu Village, Kankipadu Mandal, Krishna District, until further orders.

Sd/- K. MURALI
ASSISTANT REGISTRAR

//TRUE COPY//

For ASSISTANT REGISTRAR

To,

1. The Principal Secretary, State of Andhra Pradesh, (Revenue), State Secretariat, Velagapudi Village, Guntur District, Andhra Pradesh. (by RPAD)
2. The District Collector, Krishna District, Chilakalapudi, Machilipatnam, Krishna District. (by RPAD)
3. The Revenue Divisional Officer, Vijayawada, Krishna District. (by RPAD)
4. The Tahsildar, (Kankipadu Mandal) Kankipadu Mandal Village and Mandal, Krishna District. (by RPAD)
5. One CC to SRI. M R K CHAKRAVARTHY Advocate [OPUC]
6. Two CCs to GP FOR REVENUE, High Court Of Andhra Pradesh. [OUT]
7. One spare copy

yvk.

HIGH COURT

DEVJ

DATED:17/03/2020

ORDER

Note : Post after four (04) weeks.

WP.No.6794 of 2020

INTERIM DIRECTION

