

IN THE HIGH COURT OF ANDHRA PRADESH AT AMARAVATI
THURSDAY, THE SEVENTH DAY OF MAY,
TWO THOUSAND AND TWENTY
:PRESENT:
THE HONOURABLE SRI JUSTICE NINALA JAYASURYA



WRIT PETITION NO: 7455 OF 2020

Between:

1. Smt.Seera Tejavathi, W/o.Sri.Aanandarao,
2. Sint.Buggala Mahalakshmi, W/o. Duryodhana,

Petitioner

AND

1. The State of A.P., State of Andhra Pradesh, Rep.by its Principal Secretary Revenue Department, Secretariat, Velagapudi, Guntur District.
2. The District Collector, Srikakulam District.
3. The Chief Executive Officer, Zilla Parishad, Srikakulam.
4. The Mandal Revenue Officer/Tahsildar, Kanchili Mandal, Srikakulam District.
5. Gokarnapuram Gram Panchayat, Rep.by its Panchayat Secretary, Gokarnapuram Village, Kanchili Mandal, Srikakulam 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 of Mandamus, or any other appropriate writ, order or direction, declaring the action of the Respondents in trying to allot the school ground of the Zilla Parishad High School, situated in an extent of Ac.5-94 cents in Sy.No.23/1 of Gokarnapuram Village, Kanchili Mandal, Srikakulam District, for the purpose of proposed house sites without following due process of law, as illegal, arbitrary, without jurisdiction and unconstitutional and violation of Article 14, 21 of Constitution of India.

IA NO: 1 OF 2020 : Petition under Section 151 CPC praying that in the circumstances stated in the affidavit filed in W.P., the High Court may be pleased to grant interim direction directing the respondents herein not to interfering with the peaceful possession and enjoyment of the property of Zilla Parishad High School to an extent of Ac.5-94 cents situated in Sy.No.23/1 of Gokarnapuram Village, Kanchili Mandal, Srikakulam District, pending disposal of WP 7455 of 2020, on the file of the High Court.

The petition coming on for hearing, upon perusing the Petition and affidavit filed in support thereof and upon hearing the arguments of Sri Bendalam Sridhar Babu, Advocate for the Petitioners, and GP for Revenue for Respondent Nos 1 to 4 and Sri I. Koti Reddy, Advocate for Resondent No.5, the Court made the following.

ORDER:

Heard learned counsel for the petitioner and learned Asst. Government Pleader for Revenue who submits that for the purpose of Zilla Parishad High School an extent of Ac. 3.00 cents is sufficient and since the land in Survey No. 23/1 is government land i.e., "konda poramboke", steps are being taken for granting house site pattas in the lands which is available in the said survey number.

Since the matter requires to be considered after fling counter-affidavit, more particularly in view of the specific averments made in the writ petition, let the counter-affidavit be filed within a period of one (01) week.

There shall be interim direction as prayed for, for a period of three (03) weeks.

SD/- K. TATA RAO
ASSISTANT REGISTRAR

//TRUE COPY//

For ASSISTANT REGISTRAR

To,

1. The Principal Secretary Revenue Department, State of A.P., Secretariat, Velagapudi, Guntur District.
2. The District Collector, Srikakulam District.
3. The Chief Executive Officer, Zilla Parishad, Srikakulam.
4. The Mandal Revenue Officer/Tahsildar, Kanchili Mandal, Srikakulam District.
5. The Panchayat Secretary, Gokarnapuram Gram Panchayat, Gokarnapuram Village, Kanchili Mandal, Srikakulam District.

(Addressee Nos 1 to 5 by RPAD)

6. Two CCs to GP for Revenue, High Court of A.P., at Amaravati (OUT)
7. One CC to Sri Bendlam Sridhar Babu, Advocate (OPUC)
8. One spare copy

Skm

HIGH COURT

NJS,J

DATED:07/05/2020

ORDER

WP.No.7455 of 2020

DIRECTION