

[2607]

IN THE HIGH COURT OF ANDHRA PRADESH AT AMARAVATHI
FRIDAY, THE TWENTIETH DAY OF MARCH TWO THOUSAND AND TWENTY

:PRESENT:

THE HONOURABLE SRI JUSTICE M.SATYANARAYANA MURTHY
WRIT PETITION NO: 7242 OF 2020

Between:

1. Pasam Srinivasu, S/o. P Pullayya, Aged about 44 years, Occ. Farmer, R/o. Door No.1-86/1, Itikalagunta, Kunchanapalle Village, Tadepalligudem Mandal, West Godavari District, A.P.
2. Pasam Kondala Rao, S/o. P Pullayya, Aged about 43 years, Occ. Farmer, R/o. Door No.1-86, Itikalagunta, Kunchanapalle Village, Tadepalligudem Mandal, West Godavari District, A.P.

.....Petitioners

AND

1. The State of Andhra Pradesh, Rep., by its Principal Secretary, Revenue Department, Secretariat, Velagapudi, Amaravathi, Guntur District.
2. The District Collector, West Godavari District, Eluru.
3. The Revenue Divisional Officer, West Godavari District, Eluru.
4. The Thasildar, Tadepalligudem Mandal, Tadepalligudem, West Godavari District.
5. The Station House Officer, Tadepalligudem Rural, Tadepalligudem, West Godavari 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, Order or direction more particularly one in the nature of Writ of Mandamus declaring the notices issued by the 4th respondent U/s 6 of the Madras Act 1905 Dated 11.03.2020 is illegal, arbitrary, contrary to the provisions of the A.P. Land Encroachment Act 1905, Defiance of the Order in Writ Petition No.2221 of 2020 Dt.06.02.2020, violative of article 14, 21, and 300 A of Constitution of India, consequently set aside the same.

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 interfere with the possession and enjoyment of the petitioners land in an extent of Ac.01.09 cents in Rs No 132/2 Situated at Kunchanapalle Village, Tadepalligudem Mandal, West Godavari District, A.P. by suspending notices issued by the 4th respondent U/s 6 of the Madras Act 1905 Dated 11.03.2020 pending disposal of the above writ petition, Pending disposal of WP 7242 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 S Appadhara Reddy Advocate for the Petitioner(s), GP FOR REVENUE Advocate for the Respondent(s) and the Court made the following.

ORDER:

For obtaining instructions or filing counter by learned Assistant Government Pleader for Revenue, post after two weeks.

In the meanwhile, respondents are directed not to take possession of the property, in pursuance of order impugned in the writ petition dated 11.03.2020 in Roc.125/2020 (B), passed under Section 6 of A.P Land Encroachment Act/Madras Act, 1905.

SD/-K.MURALI
ASSISTANT REGISTRAR

//TRUE COPY//

For ASSISTANT REGISTRAR

To,

1. The Principal Secretary, Revenue Department, Secretariat, Velagapudi, Amaravathi, Guntur District.
2. The District Collector, West Godavari District, Eluru. The Revenue Divisional Officer, West Godavari District, Eluru.
3. The Thasildar, Tadepalligudem Mandal, Tadepalligudem, West Godavari District.
4. The Station House Officer, Tadepalligudem Rural, Tadepalligudem, West Godavari District (1 TO 4 by RPAD)
5. One CC to SRI. S APPADHARA REDDY Advocate [OPUC]
6. Two CCs to GP FOR REVENUE (AP) ,High Court Of Andhra Pradesh. [OUT]

One spare copy

KLPD

HIGH COURT

MSMJ

DATED:20/03/2020



ORDER

WP.No.7242 of 2020

DIRECTION