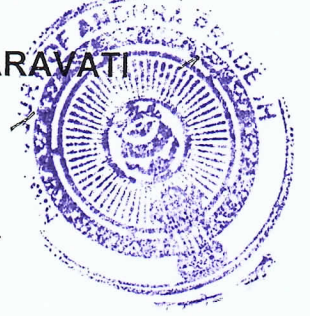


[3329]

IN THE HIGH COURT OF ANDHRA PRADESH AT AMARAVATI
(SPECIAL ORIGINAL JURISDICTION)

WEDNESDAY, THE NINTH DAY OF APRIL

TWO THOUSAND AND TWENTY FIVE



:PRESENT:

THE HONOURABLE SRI JUSTICE VENKATESWARLU NIMMAGADDA

WRIT PETITION NO: 9112 OF 2025

Between:

Biyyapu Subbarayudu, S/o Late Biyyapu Ramaiah, Aged about 78 years R/o H.No. 8-1-284/OU/462, O U Colony, Shaikpet, Golkanda, Hyderabad - 500 008.

Petitioner

AND

1. The State of Ap, Rep. by its Pri.Secy, Department of Revenue, Secretariat, Velagapudi, Amaravati, Guntur District.
2. The District Collector of Visakhapatnam, Visakhapatnam.
3. The Tahsildar, Visakhapatnam Rural, Visakhapatnam
4. M/s. Hayagreeva Farms and Developers, Rep by its Managing Partner, Door.No.6.20-20/1, Flat.No.502, 4th Floor, Sukshetra - East Point, East Point Colony, Visakhapatnam- 530017.
5. The Greater Vishakhapatnam Municipal Corporation, Rep by its Commissioner, Vishakhapatnam.

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 an appropriate Writ or order or direction more particularly in the nature of Writ of Mandamus' declaring the action of the Respondents more particularly the action of 2nd Respondent herein in issuing proceedings vide Rc.No.3037/2006/E2, Dt.10.03.2025 by which the Respondents are seeking to resume the land admeasuring an extent of Ac.12.51 Cents in Sy.No.92/3 of Yendada Village, Vishakhapatnam Rural Mandal, Vishakhapatnam District, more particularly the land in Plot No. 42 admeasuring 560.38 Sq.yds as being illegal, arbitrary, unjust, without jurisdiction, violative of Principles of Natural Justice, violative of the provisions of the Transfer of Property Act,1881, Contrary to the Order Dt.19.12.2017 of this Hon'ble Court in W.P.Nos.36413 of 2014 and 26653 of 2015, and violative of Articles 14, 21 and 300A of the Constitution of India and Consequently, set aside the proceedings vide proceedings vide Rc.No.3037/2006/E2, Dt.10.03.2025 issued by the Respondent No.2.

IA NO: 1 OF 2025

Petition under Section 151 CPC is filed praying that in the circumstances stated in the affidavit filed in support of the petition, the High Court may be pleased to suspend the operation of proceedings vide Rc.No.3037/2006/E2, Dt. 10.03.2025 issued by 2nd Respondent, more particularly to an extent of the land in Plot No.42 admeasuring 560.38 Sq.yds, Pending disposal of WP 9112 of 2025, 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 KAIKALA RAMA KIREETI Advocate for the Petitioner, GP FOR REVENUE for the Respondent Nos.1 to 3; Sri A.S.C. Bose, Standing Counsel for the Respondent No.5 and the Court made the following.

ORDER:

“Heard learned counsel for the parties.

2. Registry to print the name of learned Advocate General for the respondents in the cause list.

3. Learned counsel for the petitioner submit that, in similar circumstances, this Court granted an interim order, dated 13.05.2025, in W.P.No.6507 of 2025 and requested to pass a similar order in this writ petition also. The operative portion of the said order reads as follows:

“In view of the aforesaid contentions, so as to protect the interest of both parties, this Court is inclined to order status-quo existing as on today with regard to possession of the subject property shall be maintained for a period of four (04) weeks.”

4. Hence, in view of the aforesaid order, this Court is inclined to pass a similar order in this writ petition also.

5. Learned Government Pleader for Revenue does not refute the same.

6. Considering the submissions made, there shall be an interim direction of status quo obtaining as on today shall be maintained by all the parties concerned with regard to possession of the subject property till the next date of hearing.

7. Learned Government Pleader for Revenue is directed to file counter.

8. List the matter on 29.04.2025 along with W.P.No.9103 of 2025.”

//TRUE COPY//

SD/- K.J.RAJA BABU
ASSISTANT REGISTRAR
SECTION OFFICER
For ASSISTANT REGISTRAR

To,

1. The Prl.Secy, Department of Revenue, State of Ap, Secretariat, Velagapudi, Amaravati, Guntur District. [By Special Messenger]
2. The District Collector of Visakhapatnam, Visakhapatnam.
3. The Tahsildar, Visakhapatnam Rural, Visakhapatnam
4. The Managing Partner, M/s. Hayagreeva Farms and Developers, Door.No.6.20-20/1, Flat.No.502, 4th Floor, Sukshetra - East Point, East Point Colony, Visakhapatnam- 530017.
5. The Commissioner, Greater Vishakhapatnam Municipal Corporation, Vishakhapatnam. (2 to 5 by RPAD)
6. One CC to SRI. KAIKALA RAMA KIREETI Advocate [OPUC]
7. One CC to Sri A.S.C. Bose, Standing Counsel [OPUC]
8. Two CCs to GP FOR REVENUE, High Court Of Andhra Pradesh. [OUT]
9. Two CCs to Advocate General, High Court Of Andhra Pradesh. [OUT]
10. The Section Officer, Posting Section, High Court of A.P.
11. **One spare copy**

HIGH COURT

NV,J

DATED:09/04/2025

List the matter on 29.04.2025 along with W.P.No.9103 of 2025

ORDER

WP.No.9112 of 2025

INTERIM DIRECTION

