

**(SHOW CAUSE NOTICE BEFORE ADMISSION)
IN THE HIGH COURT OF ANDHRA PRADESH AT AMARAVATI
(Special Original Jurisdiction)**



MONDAY, THE SEVENTEENTH DAY OF APRIL,
TWO THOUSAND AND TWENTY THREE

:PRESENT:

**THE HONOURABLE SRI JUSTICE K SURESH REDDY
WRIT PETITION NO: 9444 OF 2023**

Between:

T. Butchi Raju, S/o. Late Purna Chandra Rao, Hindu, aged about 55 yrs,
R/o.Cheruvari street, Nazarpet, Tenali, Guntur District.

...Petitioner

AND

1. The State of Andhra Pradesh, Rep. by its Principal Secretary, Revenue (Endowments Dept), Secretariat, Velagapudi, Guntur District.
2. The Commissioner of Endowments, Endowments Department, Gollapudi, Vijayawada, Krishna District.
3. The Deputy Commissioner of Endowments, Endowments Department, Kothapet, Guntur, Guntur District.
4. The Asst. Commissioner of Endowments, Endowments Department, Kothapet, Guntur, Guntur District.
5. The Executive Officer, Sri Basava Mandiram(Charitable Trust), Near Panchamukha Anjaneya Swamy Temple, Nandulapeta, Tenali, Guntur District.

...Respondents

WHEREAS the Petitioner above named through his Advocate Mr.G.L. NAGESWAR 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 an appropriate writ, order or direction more particularly one in the nature of Writ of Mandamus declaring the action of the respondents especially 3 to 5 in proposing to conduct auction for lease out the property in an extent of Ac. 0.12 1/2 cents (out of total extent Ac.0.27 cents) situated in RS.No. 437/2 and T.S.No. 764 of Alapati Ayyappa Street, ward no. 10 block no. 6 of Tenali Town, Guntur District, despite the fact that the petitioner was the highest bidder in a sale auction conducted on 09.07.1997 and deposited 1/3rd amount as illegal, arbitrary, unjust, violation of principles of natural justice and violation of Article 300-A of Constitution of India and consequently direct the respondents not to conduct any auction for lease out the property in an extent of Ac. 0.12 1/2 cents (out of total extent Ac.0.27 cents) situated in RS.No. 437/2 and T.S.No. 764 of Alapati Ayyappa Street, ward no. 10, block no. 6 of Tenali Town, Guntur District;

AND WHEREAS the High Court upon perusing the petition and affidavit filed herein and upon hearing the arguments of Sri G L NAGESWAR RAO Advocate for the Petitioner and of GP for Endowments for Respondent Nos. 1 to 4 and of Sri K.Madhava Reddy, Advocate for Respondent No.5, 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, The State of Andhra Pradesh, Revenue (Endowments Dept), Secretariat, Velagapudi, Guntur District.
2. The Commissioner of Endowments, Endowments Department, Gollapudi, Vijayawada, Krishna District.
3. The Deputy Commissioner of Endowments, Endowments Department, Kothapet, Guntur, Guntur District.
4. The Asst. Commissioner of Endowments, Endowments Department, Kothapet, Guntur, Guntur District.
5. The Executive Officer, Sri Basava Mandiram(Charitable Trust), Near Panchamukha Anjaneya Swamy Temple, Nandulapeta, Tenali, Guntur District.

are be and hereby directed to show cause, either appearing in person or through 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.

IA NO: 1 OF 2023

Petition under Section 151 CPC praying that in the circumstances stated in the affidavit filed in support of the Writ petition, the High Court may be pleased to direct the respondents not to conduct any auction to lease out the property admeasuring an extent of Ac. 0.12 1/2 cents (out of total extent of Ac.0.27 cents) situated in RS.No. 437/2 and T.S.No. 764 of Alapati Ayyappa Street, ward no. 10, block no. 6 of Tenali Town, Guntur District, in pursuance of the auction notice issued on 31.03.2023 in the interest of justice, pending disposal of WP No. 9444 of 2023, on the file of the High Court.

THE COURT MADE THE FOLLOWING ORDER:

"Notice before admission.

Learned Government Pleader for Endowments takes notice on behalf of the respondent Nos.1 to 4.

Sri K.Madhava Reddy, learned Standing Counsel takes notice on behalf of the 5th respondent and requested two weeks time for filing counter.

At his request, post after two (02) weeks to file counter.

Till such time, the Auction may go on, but the respondents are directed not to finalize the Auction."

**Sd/- G.Srinivas Reddy
ASSISTANT REGISTRAR**

//TRUE COPY//

For ASSISTANT REGISTRAR

To,

1. The Principal Secretary, The State of Andhra Pradesh, Revenue (Endowments Dept), Secretariat, Velagapudi, Guntur District.

2. The Commissioner of Endowments, Endowments Department, Gollapudi, Vijayawada, Krishna District.
3. The Deputy Commissioner of Endowments, Endowments Department, Kothapet, Guntur, Guntur District.
4. The Asst. Commissioner of Endowments, Endowments Department, Kothapet, Guntur, Guntur District.
5. The Executive Officer, Sri Basava Mandiram(Charitable Trust), Near Panchamukha Anjaneya Swamy Temple, Nandulapeta, Tenali, Guntur District.(Addressee Nos. 1 to 5 by RPAD- along with a copy of petition and Affidavit)
6. One CC to SRI. G L NAGESWAR RAO Advocate [OPUC]
7. One CC to SRI. K.MADHAVA REDDY, Standing Counsel[OPUC]
8. Two CCs to GP FOR ENDOWMENTS, High Court of Andhra Pradesh. [OUT]
9. One spare copy.

PSD

HIGH COURT

KSR,J

DATED:17/04/2023

NOTE: POST AFTER TWO (02) WEEKS TO FILE COUNTER

NOTICE BEFORE ADMISSION

WP.No.9444 of 2023

