

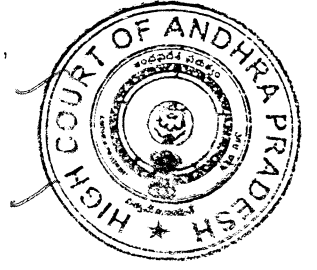
**(SHOW CAUSE NOTICE BEFORE ADMISSION)
IN THE HIGH COURT OF ANDHRA PRADESH AT AMARAVATI
(SPECIAL ORIGINAL JURISDICTION)**

WEDNESDAY, THE TWENTY SECOND DAY OF JULY,
TWO THOUSAND AND TWENTY

: PRESENT:

THE HON'BLE SRI JUSTICE **NINALA JAYASURYA**

WRIT PETITION NO : 11955 of 2020



Between:

Yarrabathina Krishnaiah, S/o. Ramesetty @ Ramaiah

Petitioner

AND

1. The State of Andhra Pradesh, Rep. by its Principal Secretary (Revenue) Department, Secretariat Buildings, Velagapudi, Guntur District
2. The District Collector, SPSR Nellore District at Nellore.
3. The Sub-Collector-RDO, Gudur, SPSR Nellore District.
4. The Tahsildar, Chittamuru Mandal, SPSR Nellore District.
5. The Village Revenue Officer, Eswaravaka Panchayat, Chittamuru Mandal, SPSR Nellore District
6. K.V.Ramanaiah, Ex.VRO, Eswaravaka Panchayat, Chittamuru Mandal, SPSR Nellore District.
7. Smt. Mallu Visalakashi, W/o. Sreeramulu, Occ: Housewife, Kothagunta Village, Eswaravaka Panchayat, Chittamuru Mandal, SPSR Nellore District.

Respondents

WHEREAS the Petitioner above named through his Advocate Sri Nagaraju Naguru, presented this writ 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 appropriate Writ, Order or Direction more particularly one in the nature of WRIT OF MANDAMUS declaring the action of the respondents No.3 to 6 colluding with the respondents No.7 mutating her name in online adangal for the lands in Sy.No.346/2 for an extent of Ac.0.25 Cents & Sy.No.346/3 for an extent of Ac.0.82 Cents total an extent of Ac.1.07 cents land in Kothalagunta Village, Eswaravaka Panchayat, Chittamuru Mandal, SPSR Nellore District by deleting the petitioner name in online without having any title and registered document in her name as arbitrary, illegal against Art.19, 21 and 300-A of the Constitution of India and consequently direct the respondents No.2 to 6 to correct the online entry by deleting the 7th respondent name in the above survey lands by entering the petitioner name.

AND WHEREAS the High Court, upon perusing the petition and affidavit filed herein and upon hearing the arguments of Sri Nagaraju Naguru, Advocate for the Petitioner and of Asst. G.P. for Revenue for the Respondents 1 to 5, directed to issue of notice to Respondents 6 & 7 herein to show cause as to why this writ petition should not be admitted in the circumstances set out in the petition and the affidavit filed in the Writ Petition.

You viz;

1. K.V.Ramanaiah, Ex.VRO, Eswaravaka Panchayat, Chittamuru Mandal, SPSR Nellore District.
2. Smt. Mallu Visalakashi, W/o. Sreeramulu, Occ: Housewife, Kothagunta Village, Eswaravaka Panchayat, Chittamuru Mandal, SPSR Nellore District.

are directed to show cause either appearing in person or through an 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 2020:

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 No.3 to 6 not to dispossess the petitioner from the lands in Sy.No.346/2 for an extent of Ac.0.25 Cents & Sy.No.346/3 for an extent of Ac.0.82 Cents total an extent of Ac.1.07 cents land in Kothalagunta Village, Eswaravaka Panchayat, Chittamuru Mandal, SPSR Nellore District at the behest of 7th respondent, pending disposal of WP No. 11955 of 2020 on the file of the High Court.

The Court made the following **ORDER**:

“ Heard learned counsel for the petitioner and learned Assistant Government Pleader for Revenue representing respondent Nos.1 to 4.
Issue notice to respondent Nos.6 to 7.

Learned counsel for the petitioner is permitted to take out personal notice to the respondents by registered post with acknowledgment due and file proof of service within a period of three (3) weeks.

Learned counsel for the petitioner submits that the petitioner is the owner and possessor of an extent of Ac.0.25 cents in Survey No.346/2 and an extent of Ac.0.82 cents in Survey No.346/3 of Kothalagunta Village, Eswaravaka Panchayat, Chittamuru Mandal, Nellore District.

Learned counsel for the petitioner submits that the petitioner's name is deleted in respect of lands in question more particularly in respect of land in Survey No.346/2 and the name of unofficial respondents are recorded. Learned counsel for the petitioner in support of his submission places reliance on 1B namoona dated 24.09.2018 wherein the petitioner's name is recorded in respect of both the extents of land in the survey numbers mentioned above.

As seen from the latest 1B namoona, dated 10.09.2019, the petitioner name is not mentioned and as per 1B namoona, dated 16.06.2020, the respondent No.7 name is mentioned. As the matter requires to be considered after filing of the counter affidavit, time is granted to the respondents 1 to 4 for filing the same within two (2) weeks.

However, keeping in view of the submissions made by the learned counsel for the petitioner and the material relied on by him 1B namoona dated 24.09.2018, there shall be *status-quo* in respect of the lands in question for a period of four (4) weeks.

List the matter after three (3) weeks.”

SD/- K Venkaiah
ASSISTANT REGISTRAR

// TRUE COPY //


for ASSISTANT REGISTRAR

To

1. K.V.Ramanaiah, Ex.VRO, Eswaravaka Panchayat, Chittamuru Mandal, SPSR Nellore District.
2. Smt. Mallu Visalakashi, W/o. Sreeramulu, Occ: Housewife, Kothagunta Village, Eswaravaka Panchayat, Chittamuru Mandal, SPSR Nellore District.
(1 & 2 by RPAD along with a copy of Petition and affidavit)
3. The Principal Secretary (Revenue) Department, State of Andhra Pradesh, Secretariat Buildings, Velagapudi, Guntur District
4. The District Collector, SPSR Nellore District at Nellore.
5. The Sub-Collector-RDO, Gudur, SPSR Nellore District.
6. The Tahsildar, Chittamuru Mandal, SPSR Nellore District.
7. The Village Revenue Officer, Eswaravaka Panchayat, Chittamuru Mandal, SPSR Nellore District
8. Two CCs to G.P. for Revenue, High Court, A.P.(OUT)
9. One CC to Sri Nagaraju Naguru, Advocate (OPUC)
10. One spare copy.

SAH

HIGH COURT

NJSJ

DATED: 22-07-2020

NOTE: LIST THE MATTER AFTER
THREE (3) WEEKS

NOTICE BEFORE ADMISSION

WP.NO. 11955 OF 2020

STATUS QUO

