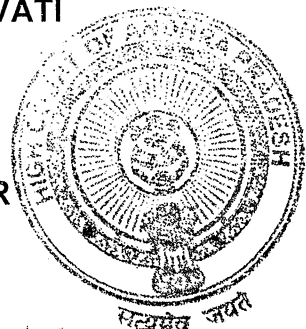


**(SHOW CAUSE NOTICE BEFORE ADMISSION)
IN THE HIGH COURT OF ANDHRA PRADESH AT AMARAVATI
(SPECIAL ORIGINAL JURISDICTION)
THURSDAY, THE TWENTIETH DAY OF MAY,
TWO THOUSAND AND TWENTY ONE**

:PRESENT:

**THE HONOURABLE SRI JUSTICE C.PRAVEEN KUMAR
WRIT PETITION NO: 10273 OF 2021**



Between:

1. Kotagiri Murali Mohan, S/o. Venkata Rao, Aged 39 years, Occ: Agriculture, R/o. Door No. 4-21-1, Lopudi Village, Musunuru Mandal, Krishna District.
2. Kotagiri Anuradha, W/o. Venkata Rao, Aged 56 years, Occ: Agriculture, R/o. Door No. 4-21-1, Lopudi Village, Musunuru Mandal, Krishna District.
3. Kotagiri Satyavathi, W/o. Srinivasa Jagannadha Rao, Aged 61 years, Occ: Agriculture, R/o. Door No. 4-21-1, Lopudi Village, Musunuru Mandal, Krishna District.
4. Kotagiri Prasada Rao, S/o. Murali Mohan Rao, Aged 49 years, Occ: Agriculture, R/o. Door No. 4-21A, Lopudi Village, Musunuru Mandal, Krishna District.
5. Vempati Sitha Mahalakshmi, W/o. Viswanadha Rao, Aged 83 years, Occ: Agriculture, R/o. Door No. 4-21A, Lopudi Village, Musunuru Mandal, Krishna District.
6. Bandarupalli Prasad, S/o. Lakshmaiah, Aged 42 years, Occ: Agriculture, R/o. Door No. 4-8B, Lopudi Village, Musunuru Mandal, Krishna District

...Petitioners

AND

1. The State of Andhra Pradesh, Rep. by its Principal Secretary, Forest Department, A.P. Secretariat Building, at Velagapudi, Amaravathi.
2. The Divisional Forest Officer, Vijayawada, Krishna District.
3. The Forest Range Officer, Nuzvidu, Krishna District.
4. The Sub-Collector, Nuzvidu, Krishna District.
5. The Tahsildar, Musunuru Mandal, Krishna District.

...Respondents

WHEREAS the Petitioners above named through their Advocate Sri P.NARAHARI BABU 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 a Writ, order or direction more particularly one in the nature of Writ petition declaring the action of the respondents in disposing the petitioners from the land an extent of Ac.118.00 cents in different survey numbers 381/4, 381/5, 381/6, 381/7, 381/8 and 381/9 of Lopudi Village, Musunuru Mandal, Krishna District without conducting the sub-division as per the orders of the 5th respondent as illegal, arbitrary and consequently direct the 5th respondent to take necessary steps for mutating the record.

AND WHEREAS the High Court upon perusing the petition and affidavit filed herein and upon hearing the arguments of Sri P.Narahari Babu, Advocate for the Petitioners and GP for Forests for the Respondent Nos.1 to 3 and GP for Revenue for the Respondent Nos.4 & 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, Forest Department, A.P. Secretariat Building, at Velagapudi, Amaravathi, State of Andhra Pradesh.
2. The Divisional Forest Officer, Vijayawada, Krishna District.
3. The Forest Range Officer, Nuzvidu, Krishna District.
4. The Sub-Collector, Nuzvidu, Krishna District.
5. The Tahsildar, Musunuru Mandal, Krishna District.

are be and hereby 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, on or before 01-07-2021, on which date the case stands posted for hearing.

IA NO: 1 OF 2021

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 dispossess the petitioners from the lands in survey No. 381/4, 381/5, 381/6, 381/7, 381/8 and 381/9 of Lopudi Village, Musunuru Mandal, Krishna District without issuing the notice and without following the procedure contemplated under the Act, pending disposal of WP No.10273 of 2021, on the file of the High Court.

**The Court made the following:
ORDER:**

"Notice before admission.

Learned Government Pleader for Forests takes notice on behalf of the respondents 1 to 3.

Learned Government Pleader for Revenue takes notice on behalf of respondents 4 and 5.

As seen from the material papers on record, *prima facie*, the order of the Settlement Officer in Rc.No.912/72-B, dated 23.10.1980 came to be passed in favour of the petitioner and the same has attained finality. Basing on the same, the petitioner filed an application before the respondent No.5 for mutation of the name in the revenue records. The case of the petitioner is that for reasons best known to the 5th respondent, his request for mutation of her name in the records is kept in abeyance. Taking the opportunity, respondents 2 and 3 are trying to dispossess the petitioner from the property in dispute.

Having regard to the facts and circumstances stated above, since the order passed by the Settlement Officer, which according to the petitioner, has attained finality, status quo obtaining as on today shall be maintained with regard to the property in dispute in all respects for a period of six weeks.

List the matter on 01.07.2021."

**SD/- B.Narsingh Rao
ASSISTANT REGISTRAR**

//TRUE COPY//


For ASSISTANT REGISTRAR

To,

1. The Principal Secretary, Forest Department, A.P. Secretariat Building, at Velagapudi, Amaravathi, State of Andhra Pradesh.
2. The Divisional Forest Officer, Vijayawada, Krishna District.
3. The Forest Range Officer, Nuzividu, Krishna District.
4. The Sub-Collector, Nuzividu, Krishna District.
5. The Tahsildar, Musunuru Mandal, Krishna District. (Addresses 1 to 5 by RPAD)
6. One CC to Sri. P.Narahari Babu, Advocate [OPUC]
7. Two CCs to GP for Revenue, High Court of AP [OUT]
8. Two CCs to GP for Forests, High Court of AP [OUT]
9. One spare copy

MM

HIGH COURT

CPKJ

DATED:20/05/2021

NOTE: LIST THE MATTER ON 01-07-2021

NOTICE BEFORE ADMISSION

WP.No.10273 of 2021

INTERIM DIRECTION

