



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

MONDAY, THE SIXTH DAY OF MAY
TWO THOUSAND AND TWENTY FOUR

:PRESENT:

THE HONOURABLE SRI JUSTICE RAVI CHEEMALAPATI
WRIT PETITION NO: 10660 OF 2024

Between:

1. Madyanapu Satya Narayana, S/o. Venkateswar Rao,
Aged about 75 years, Occ: Agriculture,
R/o. D.No.9-41, Challavarigudem, Tadvai Gram Panchayat,
Jangareddigudem Mandal, Eluru District (erstwhile West Godavari District).
2. Alladi Krishna Rao, S/o. Venkat Swami
Aged about 90 years, Occ: Agriculture,
R/o. D.No.13-12, Challavarigudem, Tadvai Gram Panchayat,
Jangareddigudem Mandal, Eluru District (erstwhile West Godavari District).
3. Maddula Venkateswar Rao, S/o. Lakshmaiah,
Aged about 75 years, Occ: Agriculture,
R/o. D.No.9-243, Challavarigudem, Tadvai Gram Panchayat,
Jangareddigudem Mandal, Eluru District (erstwhile West Godavari District).
4. Maddula Nageshwar Rao, S/o. Lakshmaiah,
Aged about 75 years, Occ: Agriculture,
R/o. D.No. 9-243, Challavarigudem, Tadvai Gram Panchayat,
Jangareddigudem Mandal, Eluru District (erstwhile West Godavari District).
5. Peddada Subba Rao, S/o. Ganga Raju,
Aged about 72 years, Occ: Agriculture,
R/o. D.No.9-242, Challavarigudem, Tadvai Gram Panchayat,
Jangareddigudem Mandal, Eluru District (erstwhile West Godavari District).

6. Mohamatapu Satyanarayana, S/o. Venkat Swamy,
Aged about 75 years, Occ: Agriculture,
R/o. Challavarigudem, Tadvai Gram Panchayat,
Jangareddigudem Mandal, Eluru District (erstwhile West Godavari District).
7. Alladi Venkat Rao, S/o. Venkat Swamy,
Aged about 61 years, Occ: Agriculture,
R/o. Challavarigudem, Tadvai Gram Panchayat,
Jangareddigudem Mandal, Eluru District (erstwhile West Godavari District).
8. Pasupuleti Kishore, S/o. Narasimha Rao,
Aged about 60 years, Occ: Agriculture,
R/o. Challavarigudem, Tadvai Gram Panchayat,
Jangareddigudem Mandal, Eluru District (erstwhile West Godavari District).
9. Kukkala Nagaraju, S/o. Durga Rao,
Aged about 65 years, Occ: Agriculture,
R/o. Challavarigudem, Tadvai Gram Panchayat,
Jangareddigudem Mandal, Eluru District (erstwhile West Godavari District).
10. Tekkam Srinivas Rao, S/o. Venkat Ramaiah,
Aged about 85 years, Occ: Agriculture,
R/o. Challavarigudem, Tadvai Gram Panchayat,
Jangareddigudem Mandal, Eluru District (erstwhile West Godavari District).
11. Minda Lakshman Rao, S/o. Siddaiah,
Aged about 60 years, Occ: Agriculture,
R/o. D.No.14-22, Challavarigudem, Tadvai Gram Panchayat,
Jangareddigudem Mandal, Eluru District (erstwhile West Godavari District).
12. Danam Jaya Lakshmi, W/o. Sathi Babu,
Aged about 45 years, Occ: Agriculture,
R/o. Challavarigudem, Tadvai Gram Panchayat,
Jangareddigudem Mandal, Eluru District (erstwhile West Godavari District).

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13. Singam Shetty Swamy, S/o. Durga Rao
Aged about 52 years, Occ: Agriculture,
R/o. Challavarigudem, Tadvai Gram Panchayat,
Jangareddigudem Mandal, Eluru District (erstwhile West Godavari District).
14. Kanikalla Jevaratnam, S/o. Yesu Babu,
Aged about 70 years, Occ: Agriculture,
R/o. Challavarigudem, Tadvai Gram Panchayat,
Jangareddigudem Mandal, Eluru District (erstwhile West Godavari District).
15. Mulakala Venkata Narasamma, W/o. Nageshwar Rao
Aged about 74 years, Occ: Agriculture,
R/o. Challavarigudem, Tadvai Gram Panchayat,
Jangareddigudem Mandal, Eluru District (erstwhile West Godavari District).
16. Mamilla Lakshman Rao, S/o. Venkat Swamy,
Aged about 70 years, Occ: Agriculture,
R/o. D.No.8-101, Challavarigudem, Tadvai Gram Panchayat,
Jangareddigudem Mandal, Eluru District (erstwhile West Godavari District).
17. Muthayala Lakshman Chary, S/o. Brahma Chary,
Aged about 69 years, Occ: Agriculture,
R/o. D.No.14-12, Challavarigudem, Tadvai Gram Panchayat,
Jangareddigudem Mandal, Eluru District (erstwhile West Godavari District).
18. Pothana Venkat Rambabu, S/o. Rama Durga Rao,
Aged about 76 years, Occ:
R/o. D.No.9-74, Challavarigudem, Tadvai Gram Panchayat,
Jangareddigudem Mandal, Eluru District (erstwhile West Godavari District).
19. Bhaskara Srinivas, S/o. Venkateswarlu,
Aged about 69 years, Occ: Agriculture,
R/o. D.No.8-116, Challavarigudem, Tadvai Gram Panchayat,
Jangareddigudem Mandal, Eluru District (erstwhile West Godavari District).

20. Kolli Dhanalakshmi, W/o. Veerraju,
Aged about 65 years, Occ: Agriculture,
R/o. Challavarigudem, Tadvai Gram Panchayat,
Jangareddigudem Mandal, Eluru District (erstwhile West Godavari District).
21. Kanthi Reddy Raja Sekhar, S/o. Venkat Narsaiah,
Aged about 72 years, Occ: Agriculture,
R/o. H.No.8-14, Challavarigudem, Tadvai Gram Panchayat,
Jangareddigudem Mandal, Eluru District (erstwhile West Godavari District).
22. Tekam Lakshmi Narayana, S/o. Venkat Ramaiah,
Aged about 77 years, Occ: Agriculture,
R/o. 8/B, Challavarigudem, Tadvai Gram Panchayat,
Jangareddigudem Mandal, Eluru District (erstwhile West Godavari District).
23. Parimi Srinivas Rao, S/o. Parimi Hanumanth Rao (died),
Aged about 52 years, Occ: Agriculture,
R/o. Challavarigudem, Tadvai Gram Panchayat,
Jangareddigudem Mandal, Eluru District (erstwhile West Godavari District).
24. Pindala Venkateswar Rao, S/o. Durga Rao,
Aged about 70 years, Occ: Agriculture,
R/o. Challavarigudem, Tadvai Gram Panchayat,
Jangareddigudem Mandal, Eluru District (erstwhile West Godavari District).
25. Pindala Srinu, S/o. Durgaiah,
Aged about 65 years, Occ: Agriculture,
R/o. Challavarigudem, Tadvai Gram Panchayat,
Jangareddigudem Mandal, Eluru District (erstwhile West Godavari District).
26. Alladi Krishna Rao, S/o. Venkat Swamy,
Aged about 52 years, Occ: Agriculture,
R/o. D.No.13-12, Challavarigudem, Tadvai Gram Panchayat,
Jangareddigudem Mandal, Eluru District (erstwhile West Godavari District).

27. Alladi Kishore Babu, S/o. Krishna Rao,
Aged about 30 years, Occ: Agriculture,
R/o. D.No.13-12, Challavarigudem, Tadvai Gram Panchayat,
Jangareddigudem Mandal, Eluru District (erstwhile West Godavari District).
28. Bhaskar Satyavathi, S/o. Venkateswar Rao,
Aged about 64 years, Occ: Agriculture,
R/o. Challavarigudem, Tadvai Gram Panchayat,
Jangareddigudem Mandal, Eluru District (erstwhile West Godavari District).
29. Parimi Srinivas Rao, S/o. Parimi Hanumanth Rao (died),
Aged about 52 years, Occ: Agriculture,
R/o. Challavarigudem, Tadvai Gram Panchayat,
Jangareddigudem Mandal, Eluru District (erstwhile West Godavari District).
30. Pasupuleti Krishna, S/o. Late Siva Lingam,
Aged about 70 years, Occ: Agriculture,
R/o. Challavarigudem, Tadvai Gram Panchayat,
Jangareddigudem Mandal, Eluru District (erstwhile West Godavari District).
31. Pallanti Venkat Narasimha Rao, S/o. Venkat Rao,
Aged about 60 years, Occ: Agriculture,
R/o. Challavarigudem, Tadvai Gram Panchayat,
Jangareddigudem Mandal, Eluru District (erstwhile West Godavari District).
32. Kukala Durga Rao, S/o. Gangaraju,
Aged about 65 years, Occ: Agriculture,
R/o. Challavarigudem, Tadvai Gram Panchayat,
Jangareddigudem Mandal, Eluru District (erstwhile West Godavari District).
33. Alladi Krishna Rao, S/o. Venkat Swamy,
Aged about 90 years, Occ: Agriculture,
R/o. D.No.13-12, Challavarigudem, Tadvai Gram Panchayat,
Jangareddigudem Mandal, Eluru District (erstwhile West Godavari District).

34. Pallanti Venkat Rao, S/o. Narasimhulu,
Aged about 59 years, Occ: Agriculture,
R/o. H.No.9-246, Challavarigudem, Tadvai Gram Panchayat,
Jangareddigudem Mandal, Eluru District (erstwhile West Godavari District).
35. T.Kanaka Rao, S/o. Late T.Veera Venkamma
Aged about 50 years, Occ: Agriculture,
R/o. H.No.8-93, Challavarigudem, Tadvai Gram Panchayat,
Jangareddigudem Mandal, Eluru District (erstwhile West Godavari District).
36. A.Chakradhar Rao, S/o. Gopala Krishna RAo,
Aged about 45 years, Occ: Agriculture,
R/o. H.No.9-172, Challavarigudem, Tadvai Gram Panchayat,
Jangareddigudem Mandal, Eluru District (erstwhile West Godavari District).

...Petitioners

AND

1. The State of Andhra Pradesh,
Represented by its Principal Secretary,
Panchayat Raj Department,
Secretariat Buildings, Velagapudi, Guntur District.
2. The District Collector,
West Godavari District.
3. The District Panchayat Raj Officer,
Eluru.
4. The Revenue Divisional Officer,
Jangareddygudem Mandal, Eluru District.
5. The Tahsildar,
Jangareddygudem Mandal, Eluru District.
6. The Gram Panchayat, Tadvai,
Represented by its Secretary,
Tadvai Gram Panchayat, Jangareddygudem Mandal, Eluru District.

...Respondents

WHEREAS the Petitioner above named through their Advocate P S P SURESH KUMAR 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 direction, order or a Writ, more particularly a Writ of Mandamus declaring the action of the Respondent No.6 in passing orders dated Roc.No.45 of 2023, dated 17.02.2024 against the Petitioners and directing the Petitioners to evict from their respective houses situated in R.S.No.75 to an extent of Ac.19-54 cents in Challavarigudem, Tadvai Gram Panchayat, Jangareddigudem Mandal, Eluru District (erstwhile West Godavari District) without conducting proper survey and without conducting proper enquiry as illegal, improper, unjust, arbitrary and contrary to law and contrary to the directions given by the Honourable Composite High Court of Andhra Pradesh in W.P.No.23239 of 2005 dated 19/02/2017 and set aside the said impugned orders and further declare that the petitioners are entitled to reside in their respective houses.

AND WHEREAS the High Court upon perusing the petition and affidavit filed herein and upon hearing the arguments of Sri P S P SURESH KUMAR Advocate for the Petitioner, GP FOR PANCHAYAT RAJ for respondent nos.1 to 3, GP FOR REVENUE for Respondent Nos.2, 4 and 5, Sri N.Srihari Standing Counsel for respondent no.6, 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, Panchayat Raj Department, State Of Andhra Pradesh, Secretariat Buildings, Velagapudi, Guntur District.
2. The District Collector, West Godavari District.
3. The District Panchayat Raj Officer, Eluru.

4. The Revenue Divisional Officer, Jangareddygudem Mandal, Eluru District.
5. The Tahsildar, Jangareddygudem Mandal, Eluru District.
6. The Secretary, Gram Panchayat, Tadvai, Tadvai Gram Panchayat, Jangareddygudem Mandal, Eluru District.

are be and hereby directed to show cause either appearing in person or through an advocate on or before 19.06.2024 to which date the case stands posted 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 2024

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 direct the Respondents not to Evict the Petitioners from their respective houses situated in R.S.No.75 to and extent of Ac.19-54 cents in Challavarigudem, Tadvai Gram Panchayat, Jangareddigudem Mandal, Eluru District (erstwhile West Godavari District) by suspending the impugned orders in Roc.No.45/2023 dated 17-02-2024, pending disposal of WP No. 10660 of 2024, on the file of the High Court.

The Court made the following: ORDER

“Notice before admission.

Learned Government Pleader for Panchayat Raj takes notice for R1 to R3.

Learned Government Pleader for Revenue takes notice for R2, R4, R5.

Sri N.Srihari, learned Standing counsel takes notice for R6.

Post on 19.06.2024 in the motion list for getting instructions.

Till then, the respondents are directed not to take any coercive steps against the petitioners."

Sd/- B. PRASADA RAO
ASSISTANT REGISTRAR

//TRUE COPY//

SECTION OFFICER

To,

1. The Principal Secretary, Panchayat Raj Department, State Of Andhra Pradesh, Secretariat Buildings, Velagapudi, Guntur District.
2. The District Collector, West Godavari District.
3. The District Panchayat Raj Officer, Eluru.
4. The Revenue Divisional Officer, Jangareddygudem Mandal, Eluru District.
5. The Tahsildar, Jangareddygudem Mandal, Eluru District.
6. The Secretary, Gram Panchayat, Tadvai, Tadvai Gram Panchayat, Jangareddygudem Mandal, Eluru District. (1 to 6 by RPAD- along with a copy of petition and memorandum of grounds)
7. One CC to SRI. P S P SURESH KUMAR Advocate [OPUC]
8. Two CCs to GP FOR PANCHAYAT RAJ RURAL DEV, High Court Of Andhra Pradesh. [OUT]
9. Two CCs to GP FOR REVENUE, High Court of Andhra Pradesh.[OUT]
10. **One spare copy**

ksr

HIGH COURT

RC, J

DATED:06/05/2024

Post on 19.06.2024 in the motion list for getting instructions.

NOTICE BEFORE ADMISSION

WP.No.10660 of 2024

DIRECTION

