

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

WEDNESDAY, THE TENTH DAY OF MAY
TWO THOUSAND AND TWENTY THREE

:PRESENT:

THE HONOURABLE SRI JUSTICE R RAGHUNANDAN RAO



WRIT PETITION NO: 11998 OF 2023

Between:

Y Santhamma, W/o. Y.Venkata Ramana, Aged about 65 years, F.kila Caste,
R/o.4-37, Thippigaripalli Village, H/o.Kona, Kalakada Mandal, Annamayya
District.

...Petitioner

AND

1. The State of Andhra Pradesh, Rep. by its Principal Secretary, Panchayat Raj Department, Secretariat, Velagapudi, Amaravathi, Guntur District.
2. The Project Director, I.C.D.S., Annamayya District, at Rayachoty.
3. The District Panchayat Officer, Annamayya District, at Rayachoty.
4. The Divisional Panchayat Officer, Annamayya District, at Rayachoty.
5. The Gram Panchayat, Madhavaram Village, Rayachoty Mandal, Annamayya District, Rep. by its Panchayat Secretary
6. The District Collector, Annamayya District, at Rayachoty
7. The Tahsildar, Rayachoty Mandal, Annamayya District.
8. The Mandal Parishad Development Officer(MPDO), Rayachoty Mandal, Annamayya District.

...Respondents

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 Mandamus, declaring the action of the respondents in particular, the Project Director, ICDS (R-2) and DPO (R-3) in trying to take over the House plot of the petitioner, situated in Sy.No.1785. Extent. Ac.0.02 cts of Madhavaram Village, Rayachoty Mandal, Annamayya District, without following the due process of law and without issuance of any prior notice, as illegal, arbitrary and unconstitutional and consequently direct the respondents, not to take over the petitioner's land, situated in Sy.No.1785. Extent. Ac.0.02 cts of Madhavaram Village, Rayachoty Mandal, Annamayya District, without following due process of law and without issuance of any notice and without conducting any enquiry.

IA NO: 1 OF 2023

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 stay all further proceedings, including taking over of the House Plot of the Petitioner, situated in Sy.No.1785. Extent. Ac.0.02 cts of Madhavaram Village, Rayachoty Mandal, Annamayya District, by the respondents, pending disposal of WP 11998 of 2023, 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 S S Bhatt, Advocate for the Petitioner and of GP for Panchayat Raj for the Respondent Nos.1 to 5, GP for Revenue for Respondent Nos.6 & 7, Sri N. Srihari, Standing Counsel for Respondent No.8, the Court made the following

ORDER:

"The learned Government Pleader for Panchayat Raj seeks time to obtain instructions.

Post on 21.06.2023.

In view of the Certificate of Allotment of House Site dated 27.06.2007 issued by the Tahsildar, Rayachoty Mandal, Kadapa (presently Annamayya District), on coercive steps shall be taken against the petitioner till 30.06.2023."

SD/- A.VIJAYA BABU
ASSISTANT REGISTRAR

//TRUE COPY//

For

SECTION OFFICER

To,

1. The Principal Secretary, Panchayat Raj Department, State of Andhra Pradesh, Secretariat, Velagapudi, Amaravathi, Guntur District.
2. The Project Director, I.C.D.S., Annamayya District, at Rayachoty.
3. The District Panchayat Officer, Annamayya District, at Rayachoty.
4. The Divisional Panchayat Officer, Annamayya District, at Rayachoty.
5. The Panchayat Secretary, Gram Panchayat, Madhavaram Village, Rayachoty Mandal, Annamayya District.
6. The District Collector, Annamayya District, at Rayachoty
7. The Tahsildar, Rayachoty Mandal, Annamayya District.
8. The Mandal Parishad Development Officer(MPDO), Rayachoty Mandal, Annamayya District. **(1 to 8 by RPAD)**
9. One CC to Sri. S S Bhatt, Advocate [OPUC]
10. One CC to Sri N. Srihari, Standing Counsel [OPUC]
11. Two CCs to GP for Panchayat Raj, High Court of Andhra Pradesh. [OUT]
12. Two CCs to GP for Revenue, High Court of Andhra Pradesh. [OUT]
13. One spare copy.

MSB

HIGH COURT

RRR,J

DATED:10/05/2023

ORDER

POST ON 21.06.2023

WP.No.11998 of 2023

INTERIM DIRECTION

