

IN THE HIGH COURT OF ANDHRA PRADESH: AT AMARAVATI

(Special Original Jurisdiction)

FRIDAY, THE TWELFTH DAY OF MAY
TWO THOUSAND AND TWENTY THREE

:PRESENT:

THE HONOURABLE SRI JUSTICE R RAGHUNANDAN RAO



WRIT PETITION NO: 13380 OF 2023

Between:

1. Gurram Nooka Raju, S/o Late Chinnaiah, aged- 63 years, R/o D.No.1-74, Thadi Village, Parawada Mandal, Visakhapatnam (Anakapalli) District.
2. Pithana Neelakanta Rao, S/o Late Kannaiah, aged- 56 years, R/o D.No.1-74, Pharama City Colony, Kothapalem Street, Aganampudi Post, Gajuwaka Mandal, Visakhapatnam District.
3. Gurram Satti Babu, S/o Nooka Raju, Aged- 39 years, R/o D.No.1-75, Thadi Village, Parawada Mandal, Visakhapatnam (Anakapalli) District.
4. Smt. Gangireddla Parameswari W/o Venkata Ramana, aged- 55 years, R/o Pharama City Colony, Lemarthy Agraharam Street, Aganampudi Post, Gajuwaka Mandal, Visakhapatnam District.

Petitioners

AND

1. The State of Andhra Pradesh, Represented through Principal Secretary, Department of Revenue, Secretariat, Velagapudi, Amaravati, Guntur District.
2. The District Collector, Anakapalli (Erstwhile Visakhapatnam) District, Anakapalli.
3. The Revenue Divisional Officer, Anakapalle Division, Anakapalli (Erstwhile Visakhapatnam) District.
4. The Tahsildar, Parawada Mandal, Anakapalli (Erstwhile Visakhapatnam) District.
5. Andhra Pradesh Industrial Infrastructure Corporation Limited (APIIC), Special Project Zone, represented by its Deputy Zonal Manager (AM), One Stop Service Centre, APSEZ, Atchutapuram, Visakhapatnam.

Respondents

Petition under Article 226 of the Constitution of India is filed 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 high handed and illegal action on the part of the respondents in attempting to dispossess the petitioners from their possession and enjoyment of their respective properties situated in an extent of Ac.5-00 cents, Ac.3-00 cents, Ac.3-00 cents, and Ac.5-00 cents covered by R.S.No.116 of Thadi Village, Parawada Mandal, Anakapalli (Erstwhile Visakhapatnam) District, without issuing any notice, without conducting any enquiry and without passing any order as illegal, arbitrary, unjust, malafide and against the principles of Natural Justice besides

violation of Articles 14, 21 and 300-A of Constitution of India and to consequently direct the respondents not to interfere with the possession and enjoyment of the petitioners in any manner including their dispossession from the subject properties in the interest of justice.

IA NO: 1 OF 2023

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 interfere with the petitioners' possession and enjoyment of their respective properties situated in an extent of Ac.5-00 cents, Ac.3-00 cents, Ac.3-00 cents, and Ac.5-00 cents covered by R.S.No.116 of Thadi Village, Parawada Mandal, Anakapalli (Erstwhile Visakhapatnam) District, in any manner including their dispossession, during the pendency of the Writ Petition No.13380 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.K.Jyothi Prasad Advocate for the Petitioners, learned Government Pleader for Revenue for Respondent Nos.1 to 4 and Sri.J.Ugra Narasimha, learned Standing Counsel for Respondent No.5, the Court made the following.

ORDER:

Learned Government Pleader for Revenue seeks time to obtain instructions.

In the meanwhile, there shall be an interim direction to the respondents not to dispossess the petitioners from the property in question, if they are in possession, except in accordance with law.

Post on 03.07.2023.

//TRUE COPY//

**Sd/- K. KASIRAO ACHARI
ASSISTANT REGISTRAR**

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SECTION OFFICER

To,

1. The Principal Secretary, Department of Revenue, State of Andhra Pradesh, Secretariat, Velagapudi, Amaravati, Guntur District.
2. The District Collector, Anakapalli (Erstwhile Visakhapatnam) District, Anakapalli.
3. The Revenue Divisional Officer, Anakapalle Division, Anakapalli (Erstwhile Visakhapatnam) District.
4. The Tahsildar, Parawada Mandal, Anakapalli (Erstwhile Visakhapatnam) District.

5. Andhra Pradesh Industrial Infrastructure Corporation Limited (APIIC), Special Project Zone, represented by its Deputy Zonal Manager (AM), One Stop Service Centre, APSEZ, Atchutapuram, Visakhapatnam (1 to 5 by RPAD)
6. One CC to SRI.K.JYOTHI PRASAD Advocate [OPUC]
7. Two CCs to GP for Revenue, High Court Of Andhra Pradesh. [OUT]
8. One CC to Sri.J.Ugra Narasimha, Standing Counsel (OPUC)
9. One spare copy

SRL

HIGH COURT

RRRJ

DATED:12/05/2023

NOTE: POST ON 03.07.2023

ORDER

WP.No.13380 of 2023

INTERIM DIRECTION

