

APHC010264532024



**IN THE HIGH COURT OF ANDHRA PRADESH
AT AMARAVATI
(Special Original Jurisdiction)**

[3328]

FRIDAY ,THE TWENTY EIGHTH DAY OF JUNE
TWO THOUSAND AND TWENTY FOUR

PRESENT

**THE HONOURABLE SRI JUSTICE GANNAMANENI RAMAKRISHNA
PRASAD**

WRIT PETITION NO: 13377/2024

Between:

1.NAMANA UMAMAHESWARA RAO, S/O PADMANABHA RAO 1-254,WYRA ROAD, BHIMAVARAM, JAGGAIHPET MANDALAM, N.T.R. DISTRICT, ANDHRA PRADESH.

...PETITIONER

AND

1.THE STATE OF ANDHRA PRADESH, REP. BY ITS PRI.SECRETARY, EDUCATION DEPARTMENT, SECRETARIAT, AMARAVATHI, ANDHRA PRADESH.

2.DISTRICT COLLECTOR, O/O DISTRICT COLLECTOR N.T.R. DISTRICT, ANDHRA PRADESH

3.MANDAL REVENUE OFFICER, O/O M.R.O VATSAVAI, VATSAVAI MANDALAM, N.T.R.DISTRICT. ANDHRA PRADESH.

4.VILLAGE DEVELOPMENT OFFICER, BHIMAVARAM PANCHAYAT, BHIMAVARAM, N.T.R. DISTRICT, ANDHRA PRADESH.

5.PAPABHATHINI PRABHU DAS, S/O PHILLIP (LATE) NEW HOPE SCHOOL, BHIMAVARAM, N.T.R. DISTRICT, ANDHRA PRADESH.

...RESPONDENT(S):

Counsel for the Petitioner:

1.SATYA SAILEELA MANCHAM

Counsel for the Respondent(S):

1.GP FOR REVENUE

2.GP FOR SCHOOL EDUCATION

The Court made the following:

ORDER:

Heard Sri J.S.C. Sekhar, Learned Counsel appearing on behalf of Sri M. Satya Sai Leel, Learned Counsel for the Writ Petitioner and Ms. T. Radha Rani, Learned Assistant Government Pleader for Revenue.

2. Learned Counsel for the Writ Petitioner would submit that some land adjacent to the school by name Sri Thkshasila Public School is owned by Respondent No.5. It is submitted that the said school is being run by the Writ Petitioner. The Writ Petitioner has noticed some leveling activity in the neighboring site which belongs to Respondent No.5 and that on enquiry, the Writ Petitioner has come to know that the Respondent No.5 is preparing the subject land for the purpose of burial ground/grave yard. He would submit that the said school has been established in the year 2008 and the strength of the school is about 500 students. Counsel for the Writ Petitioner would submit that utilization of the adjacent land for burial ground/grave yard would ensue serious adverse implications on the school.

3. Having regard to the facts and circumstances as noted above, this Court is of the opinion that the balance of convenience is *prima facie* in favour of the Writ Petitioner. Hence, there shall be a direction to the Respondents herein to maintain *Status quo* as obtaining today.

4. Writ Petitioner is directed to place on record the latest photographs of the said site along with a Newspaper indicating the date on which the said photographs have been taken.

5. Respondent Nos.2 to 4 are directed to ensure that the *Status quo* be maintained for the time-being. They shall also file Counter Affidavit on or before 26.07.2024, stating whether any permission has been given to Respondent No.5 to utilize such land for the purpose of burial ground/grave yard.

6. List the matter on 26.07.2024.

GANNAMANENI RAMAKRISHNA PRASAD, J

Dt: 28.06.2024

Note: Issue C.C today,
B/o,
Vns