

[3208]

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

TUESDAY, THE THIRTY FIRST DAY OF JANUARY,

TWO THOUSAND AND TWENTY THREE

: PRESENT:

THE HONOURABLE SRI JUSTICE RAVI NATH TILHARI

WRIT PETITION NO: 17074 OF 2022

Between:

Malla Satish Kumar, S/o late Chinna Appa Rao Aged about 41 years, R/o D.No.11-77, Main Road, Gopalapatnam, Visakhapatnam District, A.P.

Petitioner

AND

1. The State of Andhra Pradesh, Rep. by its Principal Secretary, Municipal Administration Department, Secretariat, Velagapudi, Amaravathi, Guntur Dist-522503
2. The Greater Visakhapatnam Municipal Corporation, Rep. by its Commissioner, Visakhapatnam, Andhra Pradesh.
3. The Zonal Commissioner, Zone VIII, Greater Visakhapatnam Municipal Corporation, Vepagunta, Visakhapatnam Dist. Andhra Pradesh.
4. Penumatsa Venkata Subadramma, W/o Late P. Satyanarayana Raju, Aged about 82 Yrs, R/o H.No. 1-2/1, Near Ramalayam, Baji Junction, Gopalapatnam, Visakhapatnam District, A.P.
5. Penumatsa Venkata Subbaraju, S/o Late P. Satyanarayana Raju, Aged about 65 Yrs, R/o H.No. 1-2/1, Near Ramalayam, Baji Junction, Gopalapatnam, Visakhapatnam District, A.P.

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 any writ order or direction more particularly a writ in the nature of a writ of Mandamus by declaring proceedings of the 3rd respondent in R.C.No.23/2022/TI-1/Zone VIII dated-04.06.2022 in declaring the title over the said property to an extent of 753 Sq.Yrds in Sy.No. 2/1 in Sitaramaraju Nagar, Butchirajupalem, Visakhapatnam District which belongs to the petitioner and to transfer assessment Nos. 1086541997 and 1086541999 in favour of respondents No.4 and 5 without there being jurisdiction as illegal, arbitrary, Violative of Principles of Natural Justice and consequently set aside the same.

IA NO: 1 OF 2022

Petition under Section 151 CPC is filed praying that in the circumstances stated in the affidavit filed in support of the writ petition, the High Court may be pleased to grant stay of all further proceedings pursuant to the order dated- 04.06.2022 in R.C.No. 23/2022/TI-1/Zone VIII passed by the 3rd respondent, pending disposal of WP 17074 of 2022, 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 the earlier Orders of the High Court dated 23.06.2022 26.07.2022 30.08.2022, 11.10.2022, 22.11.2022 & 20.12.2022 made herein and upon hearing the arguments of M/s. A S C Bose, Advocate for the Petitioner, GP for Municipal Administration for the Respondent No.1 and Sri S.Laxmi Narayana Reddy, Standing Counsel for Respondent No.2 & 3, the Court made the following.

ORDER:

Sri. S.Lakshminarayana Reddy, learned standing counsel, for the respondent Nos. 2 and 3, prays for and is granted three (03) weeks further time as last opportunity to file counter affidavit.

If counter affidavit is filed, the reply/rejoinder affidavit, if any, may also be filed within a further period of two (02) weeks.

List on 07.03.2023.

Interim order granted earlier is extended till the next date of listing.

//TRUE COPY//

Sd/- U. SRI DEVI
ASSISTANT REGISTRAR



For SECTION OFFICER

To,

1. One CC to Sri A S C Bose, Advocate [OPUC]
2. Two CCs to GP for Municipal Administration and Urban Development, High Court of Andhra Pradesh. [OUT]
3. One CC to Sri S.Laxmi Narayana Reddy, Standing Counsel [OPUC].
4. One spare copy

NBR

HIGH COURT

RNT, J

DATED:31.01.2023

LIST ON 07.03.2023

ORDER

WP.No.17074 of 2022

INTERIM ORDER EXTENDED

