

IN THE HIGH COURT OF ANDHRA PRADESH AT AMARAVATI

WEDNESDAY, THE TWENTY FIFTH DAY OF AUGUST,
TWO THOUSAND AND TWENTY ONE

:PRESENT:

THE HONOURABLE SRI JUSTICE BATTU DEVANAND



IA No. 1 OF 2021

IN

WP NO: 18065 OF 2021

Between:

Redyam Chandra Seker Reddy, S/o late Subbareddy, Aged. 48 years,
R/o Dumpalagattu Village, Khajipet Mandal, YSR Kadapa District-516163.

...Petitioner/Petitioner

(Petitioner in WP 18065 OF 2021
on the file of High Court)

AND

1. The State of Andhra Pradesh, rep. by its Principal Secretary, Panchayat Raj and Rural Development Department, Secretariat, Velagapudi, Amaravati, Andhra Pradesh.
2. The District Panchayat Officer, YSR Kadapa District, Kadapa.
3. The Mandal Parishad Development Officer, , Khajipet Mandal, Khajipet Mandal, YSR Kadapa District.
4. The Panchayat Secretary, Grama Panchayat Dumpalagattu, Khajipet Mandal, YSR Kadapa District.
5. The Tahsildar, Khajipeta Mandal, Kadapa District.
6. The District Collector, YSR Kadapa District, Kadapa

...Respondent(s)

(Respondents in-do-)

Counsel for the Petitioner :GINJUPALLI SUBBA RAO

Counsel for the Respondent Nos 1 & 2 :GP FOR PANCHAYAT RAJ

Counsel for the Respondent Nos 3 & 4: Sri V Viond K Reddy Standing Counsel

Counsel for the Respondent Nos 5 & 6: GP for Revenue

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 direct the respondents not to interfere with the ownership, possession and enjoyment of the residential house bearing D.No.1/220-1 in an extent of Ac. 0.14 cents situated in Sy.No.1385/2 of Dumpalagattu Village, Khajipeta Mandal, Kadapa District pending disposal of the above writ petition and to pass such other Pending disposal of WP No. 18065 of 2021, on the file of the High Court.

The court while directing issue of notice to the Respondents herein to show cause as to why this application should not be complied with, made the following order.(The receipt of this order will be deemed to be the receipt of notice in the case).

ORDER:

Sri Srinivas Dammalapati, learned Senior Counsel appearing on behalf of Sri Ginjupalli Subba Rao, learned counsel for the petitioner on record, submits that the petitioner inherited Ac 0.14 cents of land in Sy.No.1385/2 of Dumpalagattu village, Khajipeta Mandal, Kadapa District, which was in the occupation and enjoyment of his family from time immemorial and the same was inherited as his share in the family partition. As the petitioner intended to construct a house, he made an application to the 4th respondent and he was granted plan approval vide Rc.No.1/2020-2021, dated 05.02.2018 to construct a new house in the said site. The construction of the house was completed in the year 2018 as per the specifications mentioned in the approved plan. Upon perusal of the Ex.P2 and Ex.P5, the possession of the petitioner over the said land and the construction of

three stairs building in the said land is established. Learned Senior Counsel brought to the notice of this Court that the respondents are threatening to demolish the residential house of the petitioner without following due process of law. Under these circumstances, the present writ petition is filed.

On the other hand, Sri V. Vinod K Reddy, learned Standing Counsel appearing for the respondents No.3 and 4 submits that earlier the petitioner filed a writ petition in W.P.No.11541 of 2020 and the same was disposed of by this Court by order dated 28.07.2020 directing the respondents not to interfere into the possession of the petitioner without following due process of law. Learned Standing Counsel further submits that as and when the order passed by this Court is in existence, with an apprehension, this writ petition is filed by the petitioner.

Having considered the submissions of both the counsels and upon perusal of the material available on record, it appears that though the petitioner filed W.P.No.11541 of 2020 and this Court by order dated 28.07.2020 directed the respondents not to interfere into the possession of the petitioner over the land without following due process of law, the respondents are threatening to demolish the residential house of the petitioner for the reasons best known to them.

Under the circumstances, pending disposal of the writ petition, it is appropriate to this Court to protect the interest of the petitioner in the interest of justice.

Accordingly, there shall be interim direction as prayed for.

Sd/- B. Narsingh Rao
ASSISTANT REGISTRAR

//TRUE COPY//

For ASSISTANT REGISTRAR

To,

1. The Principal Secretary, Panchayat Raj and Rural Development Department, State of A.P., Secretariat, Velagapudi, Amaravati, Andhra Pradesh.
2. The District Panchayat Officer, YSR Kadapa District, Kadapa.
3. The Mandal Parishad Development Officer, Khajipet Mandal, Khajipet Mandal, YSR Kadapa District.
4. The Panchayat Secretary, Grama Panchayat Dumpalagattu, Khajipet Mandal, YSR Kadapa District.
5. The Tahsildar, Khajipeta Mandal, Kadapa District.
6. The District Collector, YSR Kadapa District, Kadapa (Addressee Nos 1 to 6 by RPAD)
7. One CC to Sri Ginjupalli Subba Rao, Advocate (OPUC)
8. Two CCs to GP for Panchayat Raj, High Court of A.P., at Amarati (OUT)
9. One CC to Sri V. Vinod K. Reddy, Standing Counsel (OPUC)
10. Two CCs to GP for Revenue, High Court of at Amaravati (OUT)
11. One spare copy

Skm

1909 932 1

HIGH COURT

DEVJ

DATED:25/08/2021

ORDER

**IA. No. 1 of 2021
IN**

WP.No.18065 of 2021

DIRECTION

