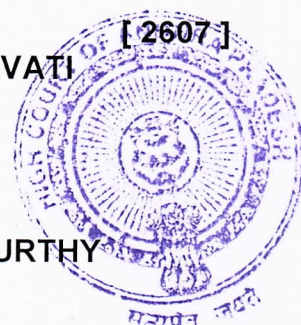


IN THE HIGH COURT OF ANDHRA PRADESH AT AMARAVATI
(SPECIAL ORIGINAL JURISDICTION)

TUESDAY, THE THIRTY FIRST DAY OF AUGUST,
TWO THOUSAND AND TWENTY ONE

:PRESENT:

THE HONOURABLE SRI JUSTICE M.SATYANARAYANA MURTHY
WRIT PETITION NO: 18546 OF 2021



Between:

M/s. Surajya Developers, a Partnership Firm registered under the provisions of the Indian Partnership Act, 1932, having its registered office at FF-1, 1st Floor, D.No.12-1-20/2, Kannayyapeta, Visakhapatnam, rep. by its Managing Partner, Sri Jugāl Kishore Rawat.

...Petitioner

AND

1. The State of Andhra Pradesh, Revenue Department, Secretariat Building, Velagapudi, Andhra Pradesh, rep. by its Principal Secretary.
2. The State of Andhra Pradesh, Municipal Administration and Urban Development Department, Secretariat Building, Velagapudi, Andhra Pradesh, rep. by its Principal Secretary.
3. The Collector, Visakhapatnam District, Andhra Pradesh.

...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 an appropriate writ, order or direction, more particularly one in the nature of Writ of Mandamus declaring the

a) action of the Respondents in allotting 1040 sq. yards of unsuitable land to the Petitioner in Sy.Nos.106/1 of Tunglam Village, Gajuwaka Mandal, Visakhapatnam, without any approach road and without removing the electrical lines running thereon, pursuant to GO Ms.No.304, Revenue (Assgn.II) Department dated 19.07.2017,

b) The action of the Respondents in allotting 4356 sq. yards of unsuitable industrial land in Sy.Nos.29/2 part and 30/13, of Tunglam Village, Gajuwaka Mandal, Visakhapatnam, pursuant to GO Ms.No.304, Revenue (Assgn.II) Department dated 19.07.2017,

c) the action of the Respondents in not cancelling the allotment of 6540 sq. yards of land approved in favour of the Petitioner in Sy.Nos.106/1, 29/2, 30/2, 30/12, 30/13 and 30/14 of Tunglam Village, Gajuwaka Mandal, Visakhapatnam, under GO Ms.No.304, Revenue (Assgn.II) Department dated 19.07.2017, and allotting alternative land to the Petitioner in lieu thereof,

d) and the inaction of the 3rd Respondent in not furnishing a detailed report to the 1st Respondent as directed under Memo No.LANAOLAND/387/2019/Assn.II(1) dated 23.10.2019 and Memo No.LANAOLAND/273/2019/Assn.II(1) dated 24.11.2019 in relation to the representations dated 22.10.2019 and 12.09.2019 submitted by the Petitioner, as arbitrary, discriminatory, illegal, unjust, violative of the principles of natural justice, and contrary to law, to consequently, direct the Respondents to allot suitable alternative land of equivalent value in an extent of 6540 sq. yards as contemplated under GO Ms.No.304, Revenue (Assgn.II) Department dated 19.07.2017 to the Petitioner, preferably at Yendada Village, Madhurawada Mandal or Kapulauppada Village, Bheemunipatnam Mandal, Visakhapatnam, in lieu of Ac.01-00 cents of land taken over from the Petitioner in Sy.No.111/3 of Natayyapalem, H/o Tunglam Village, Visakhapatnam District.

IA NO: 1 OF 2021

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 to forthwith consider the case of the Petitioner for allotment of suitable alternative land of equivalent value in an extent of 6540 sq. yards as contemplated under GO Ms.No.304, Revenue (Assgn.II) Department dated 19.07.2017 to the Petitioner, preferably at Yendada Village, Madhurawada Mandal or Kapulauppada Village, Bheemunipatnam Mandal, Visakhapatnam, in lieu of Ac.01-00 cents of land taken over from the Petitioner in Sy.No.111/3 of Natayyapalem, H/o Tungalam Village, Visakhapatnam District, pending disposal of WP.No.18546 of 2021, 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 Ramakrishna Pativada, Advocate for the Petitioner and GP for Revenue for the Respondent Nos.1 & 3 and GP for Municipal Administration for the Respondent No.2, the Court made the following.

ORDER:

"At the request of learned Assistant Government Pleader for Revenue to get instructions, post the matter after two (02) weeks.

Meanwhile, respondents 1 and 2 are directed to dispose of representations of petitioner, dated 22.10.2019 and 12.09.2012 in pursuance of the memos, dated 23.10.2019 and 24.11.2019, in accordance with law during pendency of the writ petition."

//TRUE COPY//

Sd/-K.TataRao
ASSISTANT REGISTRAR

SECTION OFFICER

For ASSISTANT REGISTRAR

To,

1. The Principal Secretary, Revenue Department, Secretariat Building, Velagapudi, Andhra Pradesh.
2. The Principal Secretary, State of Andhra Pradesh, Municipal Administration and Urban Development Department, Secretariat Building, Velagapudi, Andhra Pradesh.
3. The Collector, Visakhapatnam District, Andhra Pradesh. (Addresses 1 to 3 by RPAD)
4. One CC to Sri. Ramakrishna Pativada, Advocate [OPUC]
5. Two CCs to GP for Revenue, High Court of Andhra Pradesh. [OUT]
6. Two CCs to GP for Municipal Administration, High Court of AP [OUT]
7. One spare copy

MM

HIGH COURT

MSMJ

DATED:31/08/2021

NOTE: POST THE MATTER AFTER TWO WEEKS

ORDER

WP.No.18546 of 2021

INTERIM DIRECTION

