

(SHOW CAUSE NOTICE BEFORE ADMISSION)
IN THE HIGH COURT OF ANDHRA PRADESH: AT AMARAVATI
(Special Original Jurisdiction)

FRIDAY, THE SEVENTH DAY OF JULY
TWO THOUSAND AND TWENTY THREE

:PRESENT:

THE HONOURABLE SRI JUSTICE NINALA JAYASURYA

WRIT PETITION NO: 16418 OF 2023

Between:

Nathanapati Sreekanth, S/o Nathanapati China Venkata Naidu, Aged about 52 years, R/o D.No. 8-357, Court Road, Singh Street, Anantapuram, Presently residing at U.A.E. for his employment Through his Power of Attorney Holder Smt.Gaddipati Shyamala W/o Srinivas, age 59 years, D.No.3-30/15, Sugunakar rao Nagar, LIC Colony, near SBH Manikonda, Puppalaguda -500 089,

Petitioner

AND

1. The State of Andhra Pradesh, Rep' by its Principal Secretary, Revenue Department, A.P Secretariat, Velagapudi, Amaravathi
2. The District Collector, Vizianagaram
3. The Revenue Divisional Officer, Vizianagaram
4. The Mandal Revenue Officer, Bhogapuram Mandal, Vizianagaram District
5. The Joint Sub- Registrar, Bhogapuram Mandal, Vizianagaram District
6. Tirumareddi Venkata Rao, S/o Late Appala Swamy, Aged about 47 years, R/o.D.No. 590, Phool Bhag Colony, NTR Junction, Vizianagaram District.

Respondents

WHEREAS the Petitioner above named through his Advocate SRI.CHALLA GUNARANJAN presented this 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 a writ, order or direction more particularly one in the nature of the writ of MANDAMUS declaring the action of Respondent in issuing notice Rc.No. 2012/2022-A, dated 28.12.2022 and conducting the proceedings as being arbitrary, illegal, unjust, without jurisdiction and contrary to Andhra Pradesh Rights in Land and Pattadar Pass Books Act, 1971 besides violative of the fundamental rights of the Petitioner guaranteed under Articles 14, 21 and 300A of the Constitution of India and consequently set aside proceedings being conducted by the 3rd Respondent purportedly based on notice Rc.No. 2012/2022-A, dated 28.12.2022 and to direct the Respondents No. 1 to 4 to remove the Land admeasuring an extent Ac. 4.8700 Cents situated in Sy.No. 27-4 of Polipalli Revenue Village and Gram Panchayat, Bhogapuram Mandal, Vizianagaram District from the list of disputed properties.

AND WHEREAS the High Court upon perusing the petition and affidavit filed herein and upon hearing the arguments of SRI.CHALLA GUNARANJAN Advocate for the Petitioner, directed issue of notice to the Respondent No.6 herein to show cause as to why this WRIT PETITION should not be admitted.

You viz:

Tirumareddi Venkata Rao, S/o Late Appala Swamy, R/o.D.No. 590, Phool Bhag Colony, NTR Junction, Vizianagaram District.

are be and hereby directed to show cause either appearing in person or through an Advocate, as to why in the circumstances set out in the petition and the affidavit filed therewith (copy enclosed) this WRIT PETITION should not be admitted, on or before 05.08.2023, on which date the case stands posted for hearing.

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 writ petition, the High Court may be pleased to stay all the proceedings before the 3rd Respondent pursuant to notice Rc.No. 2012/2022-A, dated 28.12.2022 pending disposal of WP No. 16418 of 2023, on the file of the High Court.

IA NO: 2 OF 2023

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 direct the Respondent No.1 to 4 to remove the Land admeasuring an extent Ac. 4.8700 Cents situated in Sy.No. 27-4 of Polipalli Revenue Village and Gram Panchayat, Bhogapuram Mandal, Vizianagaram District from list of disputed properties, pending disposal of WP No. 16418 of 2023, on the file of the High Court.

THE COURT MADE THE FOLLOWING ORDER:

Heard learned counsel for the petitioner. Learned Assistant Government Pleader for Revenue seeks time to secure written instructions in the matter.

Issue notice to respondent No.6.

Learned counsel for the petitioner is permitted to take out personal notice on respondent No.6 by registered post with acknowledgement due and file proof of service in the Registry by the date of next adjournment.

List the matter after four weeks.

Considering the submissions made and in view of the specific grounds raised that the 3rd respondent lacks competency to entertain the matter by way of petition/appeal made by the 6th respondent, there shall be stay of all further proceedings pursuant to the notice dated 28.12.2022.

Sd/- S. SRINIVASA PRASAD
ASSISTANT REGISTRAR

//TRUE COPY//

SECTION OFFICER

To,

1. The Principal Secretary, Revenue Department, State of Andhra Pradesh, A.P Secretariat, Velagapudi, Amaravathi
2. The District Collector, Vizianagaram
3. The Revenue Divisional Officer, Vizianagaram
4. The Mandal Revenue Officer, Bhogapuram Mandal, Vizianagaram District
5. The Joint Sub- Registrar, Bhogapuram Mandal, Vizianagaram District
6. Tirumareddi Venkata Rao, S/o Late Appala Swamy, R/o D.No. 590, Phool Bhag Colony, NTR Junction, Vizianagaram District. (1 to 6 by RPAD- along with a copy of petition and affidavit)
7. One CC to SRI.CHALLA GUNARANJAN Advocate [OPUC]
8. Two CCs to GP FOR REVENUE, High Court Of Andhra Pradesh. [OUT]
9. One spare copy

SRL

HIGH COURT

NJSJ

DATED:07/07/2023

NOTE: LIST THE MATTER AFTER FOUR WEEKS

NOTICE BEFORE ADMISSION

WP.No.16418 of 2023

DIRECTION

