

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

TUESDAY, THE SIXTH DAY OF AUGUST,
TWO THOUSAND AND TWENTY FOUR

:PRESENT:

THE HONOURABLE SRI JUSTICE GANNAMANENI RAMAKRISHNA PRASAD
WRIT PETITION NO: 17149 OF 2024

Between:

R.G.Boopesh, S/o Late R.Gopinath, aged 45 years, Occ: Business, R/o 5-1-
18, Aragonda Road, Santhapet, Chittoor - 517004.

...Petitioner

AND

1. The State of Andhra Pradesh, Represented by its Special Chief Secretary, Revenue Department Secretariat buildings, Velagapudi, Guntur District, Andhra Pradesh.
2. District Collector, Chittoor District.
3. Revenue Divisional Officer, Chittoor Mandal, Chittoor District.
4. Tahsildar, Chittoor Mandal, Chittoor District.
5. R Venkata Prasad, S/o late R Sreenivasulu, aged 62 years. Cultivation, R/o D.No.13-15, Park Street, Pakala, Tirupati District.
6. M K Vinayakam, S/o late M P Krishnaswamy, aged 67 years, R/o D.No.1-31/9, Kumaraswamy Street, Dodidpalle, Chittoor District.
7. M K Koteeswaran, S/o K Karanam, Aged 65 years, R/o D.No.6-254, Ellama Street, Santhapet, Chittoor District.
8. K Vijaya Bhaskar, S/o M K Vijaya Bhaskar, aged 60 years, R/o D.No.21-864/1, C.C.S Colony, T Chavatapalli, Chittoor District.
9. M K Ravi, S/o M P Krishnaswamy, aged 59 years, R/o D.No.6-517/B, Durga Colony, Santhapet, Chittoor District.
10. C Vanaja, W/o Gangadhara Reddy, aged 58 years, R/o Kothapallimitta, Chittoor District.

11. V.Raja, S/o late Venkatesh, aged 59 years, R/o D.No. 6-446/16,
Durga Colony, Chittoor District.

...Respondents

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 a direction, more particularly one in the nature of WRIT OF MANDAMUS, to declare the action of respondent no.4 in issuing notice u/s 152 of BNS to the petitioner vide Roc.No.C/136/2023 dated 27.07.2024, despite dismissal of IA No.406 of 2023 in OS No. OS 38 of 2023 filed by the unofficial respondents no.5-11 vide order dated 04.04.2024 on the file of the Addl Senior Civil Judge (Senior Division) Court, Chittoor, for an ad-interim injunction, and pending adjudication of CMA No.08 of 2024 on the file of the Honorable VIII Additional District Judge Court at Chittoor as illegal, arbitrary and violative of articles 14, 21 and 300-A of the Constitution of India and contrary to the law laid down by the Honorable Supreme court in Bhagwan Dayal v. Reoti Devi, 1961 SCC Online SC 52 and it is consequentially prayed to direct the respondent No.1-4 not to inter-meddle with the civil disputes between the petitioner and the unofficial respondents 5-11, pending disposal of the CMA No. 08 of 2024 on the file of the Honorable VIII Additional District Judge Court at Chittoor;

IA NO: 1 OF 2024:

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 suspend the notice issued by the respondent no.4 U/s 152 of BNS to the petitioner vide Roc.No.C/136/2023 dated 27.07.2024, despite dismissal of IA.No.406 of 2023 in OS No.38 of 2023 filed by the unofficial respondents no.5-11 vide order dated 04.04.2024 on the file of the Addl Senior Civil Judge (Senior Division) Court, Chittoor, for an ad-interim injunction, and pending adjudication of CMA No. 08 of 2024, pending disposal of WP.No.17149 of 2024, 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 G.V.S.Kishore Kumar, Advocate for the Petitioner and GP for Revenue for the Respondent Nos.1 to 4, the Court made the following;

ORDER:

“Heard Sri G.V.S.Kishore Kumar, learned Counsel for the Petitioner and Sri Arjun Chowdary, learned Assistant Government Pleader for Revenue.

2. Post on 08.08.2024, for further hearing, in the motion list.

3. There shall be a direction suspending the Impugned Notice dated 27.07.2024, until further orders.”

SD/- K.SRINIVASA RAJU
ASSISTANT REGISTRAR

//TRUE COPY//

SECTION OFFICER

For ASSISTANT REGISTRAR

To,

1. The Special Chief Secretary, State of Andhra Pradesh, Revenue Department Secretariat buildings, Velagapudi, Guntur District, Andhra Pradesh. (by **Special Messenger**)
2. The District Collector, Chittoor District.
3. The Revenue Divisional Officer, Chittoor Mandal, Chittoor District.
4. Tahsildar, Chittoor Mandal, Chittoor District.
5. R Venkata Prasad, S/o late R Sreenivasulu, R/o D.No.13-15, Park Street, Pakala, Tirupati District.
6. M K Vinayakam, S/o late M P Krishnaswamy, R/o D.No.1-31/9, Kumaraswamy Street, Dodidpalle, Chittoor District.
7. M K Koteeswaran, S/o K Karanam, R/o D.No.6-254, Ellama Street, Santhapet, Chittoor District.
8. K Vijaya Bhaskar, S/o M K Vijaya Bhaskar, R/o D.No.21-864/1, C.C.S Colony, T Chavatapalli, Chittoor District.

9. M K Ravi, S/o M P Krishnaswamy, R/o D.No.6-517/B, Durga Colony, Santhapet, Chittoor District.
10. C Vanaja, W/o Gangadhara Reddy, R/o Kothapallimitta, Chittoor District.
11. V.Raja, S/o late Venkatesh, R/o D.No. 6-446/16, Durga Colony, Chittoor District. (Addressee Nos.2 to 11 by **RPAD**)
12. One CC to Sri. G.V.S.Kishore Kumar, Advocate [OPUC]
13. Two CCs to GP for Revenue, High Court of Andhra Pradesh.
[OUT]
14. One spare copy

MM

HIGH COURT

GRKP,J

DATED:06/08/2024

POST ON 08.08.2024, FOR FURTHER HEARING, IN THE MOTION LIST

ORDER

WP.No.17149 of 2024

DIRECTION

