

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

**WEDNESDAY, THE SIXTH DAY OF MAY
TWO THOUSAND AND TWENTY SIX**

:PRESENT:

**THE HONOURABLE SRI JUSTICE B.KRISHNA MOHAN
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 the order of the high court dated 06.08.2024 & 29.04.2026 made herein 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 the learned counsel for the petitioner.

The 4th respondent filed counteraffidavit and vacate stay.

The learned counsel appearing for the unofficial respondent Nos.5 to 11, submits that in fact, the respondent Nos.5 to 11 are not necessary parties to this Writ Petition. The petitioner only questioned the notice issued by the 4th respondent dated 27.07.2024 under Bharatiya Nagarik Suraksha Sanhita (BNSS), 2023. Under the guise of the pendency of the present Writ Petition, the respondents in C.M.A.No.8 of 2024, on the file of the learned VIII Additional District Judge, Chittoor, are not proceeding with the matter, mentioning that this Court granted stay vide order dated 06.08.2024.

In view of the same, it is made clear that since this Writ Petition requires detailed consideration, list on 30.06.2026, under the caption 'for hearing'.

However, it does not preclude the parties concerned to proceed with the C.M.A.No.8 of 2024, before the lower appellate court.

List on 30.06.2026, under the caption 'for hearing'.

Interim order granted earlier by this Court dated 06.08.2024 is extended till then.

//TRUE COPY//

**SD/- P.SIVA SITA RAMA KUMAR
ASSISTANT REGISTRAR**

SECTION OFFICER

To,

1. One CC to Sri. G.V.S.Kishore Kumar, Advocate [OPUC]
2. Two CCs to GP for Revenue, High Court of Andhra Pradesh. [OUT]
3. One spare copy

BS

HIGH COURT

BKM ,J

DATED:06.05.2026

**LIST THE MATTER ON 30.06.2026, UNDER THE CAPTION OF FOR
HEARING**

ORDER

WP.No.17149 of 2024



INTERIM ORDER EXTENDED