

**IN THE HIGH COURT OF ANDHRA PRADESH AT AMARAVATI
(Special Original Jurisdiction)**

THURSDAY, THE THIRTY FIRST DAY OF DECEMBER,
TWO THOUSAND AND TWENTY

: PRESENT:

**THE HONOURABLE SRI JUSTICE NINALA JAYASURYA
WRIT PETITION NO: 25372 OF 2020**



Between:

Vaddadi Chittemma @ Chinnathalli, w/o Apparao.

...Petitioner

AND

1. The State of Andhra Pradesh, Rep. by its Principal Secretary to Government, Revenue Department, Secretariat, Velagapudi, Amaravati, Guntur District.
2. The District Collector, Visakhapatnam District.
3. The Tahsildar, Makavarapupalem Mandal, Visakhapatnam District.

...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 writ, order or direction more particularly one in the nature of WRIT OF MANDAMUS declaring the action of the respondents in resorting to evict/dispossess the petitioner from the landed property to an extent of Ac. 0.64 cents situated in Sy.No 109/1 and to an extent of Ac. 0.36 cents situated in Sy.No.109-2 of Settipleam Village, Makavarapupalem Mandal, Visakhapatnam District for the purpose of allotting house sites to the landless poor under the scheme of "Navaratnalu - Pedalandariki Illu" without issuing any notice, without following due process of law, violative of principles of natural justice, Colourable exercise of power, non-application of mind as is illegal, arbitrary and Violation of Article 14, 21 and 300-A of the constitution of India and consequently direct the respondents not to interfere with peaceful possession and enjoyment of the petitioner's land situated in Sy. No. 109-1 and 109/2 of Settipleam Village, Makavarapupalem Mandal, Visakhapatnam District

IA NO: 1 OF 2020

Petition under Section 151 CPC 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 respondents not to interfere with peaceful possession and enjoyment of the petitioner's land to an extent of Ac.0.64 cents situated in Sy. No.109-1 and to an extent of Ac.0.36 cents in Sy.No.109/2of Settipleam Village, Makavarapupalem Mandal, Visakhapatnam District, pending disposal of WP 25372 of 2020, 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 M/s. M Lakshmi Narayana, Advocate for the Petitioner, GP for Revenue for the Respondents, the Court made the following.

ORDER

"Heard learned counsel for the petitioner.

Learned Assistant Government Pleader for Revenue seeks time to get instructions in the matter.

Having heard the learned counsel for the petitioner and submissions made in the writ petition that the petitioner is in possession and enjoyment of the land in question for the last fifty (50) years and cashew garden is raised, there shall be an interim direction to the respondents not to dispossess the petitioner from the land in question without following due process of law, if she is in possession of the property in question.

List the matter after four (04) weeks."

**Sd/-K.JaganMohan
DEPUTY REGISTRAR
SECTION OFFICER**

//TRUE COPY//

To,

1. The Principal Secretary to Government, Revenue Department, Secretariat, State of Andhra Pradesh, Velagapudi, Amaravati, Guntur District.
2. The District Collector, Visakhapatnam District.
3. The Tahsildar, Makavarapupalem Mandal, Visakhapatnam District. (1 to 3 by RPAD)
4. One CC to Sri M Lakshmi Narayana, Advocate [OPUC]
5. Two CCs to GP for Revenue, High Court of Andhra Pradesh. [OUT]
6. One spare copy

SP

HIGH COURT

NJSJ

DATED: 31/12/2020

NOTE: LIST THE MATTER AFTER FOUR (04) WEEKS

ORDER

WP.No.25372 of 2020

INTERIM DIRECTION

- 8 JAN 2021