

[3311]

(SHOW CAUSE NOTICE BEFORE ADMISSION)
IN THE HIGH COURT OF ANDHRA PRADESH AT AMARAVATI
(SPECIAL ORIGINAL JURISDICTION)

MONDAY ,THE FOURTH DAY OF NOVEMBER

TWO THOUSAND AND TWENTY FOUR



:PRESENT:

THE HONOURABLE MS JUSTICE B S BHANUMATHI

WRIT PETITION NO: 19526 OF 2024

Between:

1. Baddepudi Venkata Rao, S/o Baddepudi Venkata Subbaiah, Aged about 46 years, R/o Arundathi Wada, Pottepalem, Nellore, SPSR Nellore District.
2. Golla RamBabu, S/o Golla Venkaiah, Aged about 40 years, R/o Harijanawada Pottepalem, Nellore, SPSR Nellore District.
3. Gedi Kamakshaiah, S/o Gedi Ramaiah, Aged about 41 years, R/o Arundathi Wada, Pottepalem, Nellore, SPSR Nellore District.
4. Sangam Rajesh, S/o Sangam Penchalaiah, Aged about 45 years, R/o Arundathi Wada, Pottepalem, Nellore, SPSR Nellore District.
5. Imamadugu Babu, S/o Imamadugu Vemaiah, Aged about 48 years, R/o Harijanawada Pottepalem, Nellore, SPSR Nellore District.

...Petitioners

AND

1. The State of AP, Rep. by its Principal Secretary Irrigation Department, AP Secretariat, Velagapudi, Amaravati, Guntur District.
2. The District Collector, Nellore, SPSR Nellore District.
3. The Superintending Engineer, Irrigation Circle, Nellore, SPSR Nellore District.
4. The Executive Engineer, Water Resources Department, Nellore, SPSR Nellore District.
5. The District Panchayat Officer, Panchayat Raj Department, Nellore, SPSR Nellore District.
6. Pottepalem Gram Panchayat, rep by its Panchayat Secretary, Pottepalem Village, Nellore Rural mandal, SPSR Nellore District.
7. Pragathi Charitable Trust, Rep by its Chairman Alluru Tirupal, R/o Pottepalem Village, Nellore Rural mandal, SPSR Nellore District.

Respondent

WHEREAS the Petitioner above named through his/her Advocate Sri SIVAPRASAD REDDY VENATI presented this 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 a writ, order or direction more particularly one in the nature of WRIT OF MANDAMUS declaring the action of the Respondents in not considering the representations dated 10.08.2024 and 21.02.2024 respectively of Petitioners for removal of encroachments from government land which is ear marked for catchment area and river bund of Penna river comprised in Survey Number 27 with an extent of 300 Ankanams of Pottepalem Village, Nellore Rural Mandal, SPSR Nellore District as illegal, irregular, arbitrary violative of provisions of Andhra Pradesh Panchayat Raj Act 1994 and Land Encroachment Act 1908 rules framed there under and offends articles 14 and 21 of Constitution of India and consequently

direct the Respondents to remove the encroachments and restore the subject land to its originality.

AND WHEREAS the High Court upon perusing the petition and affidavit/memorandum of grounds filed herein and upon hearing the arguments of Sri SIVAPRASAD REDDY VENATI Advocate for the Petitioner, GP for Irrigation Department for the Respondent Nos.1 & 3 and 4, GP for Revenue Department for the Respondent No.2, GP for Gram Panchayat for the Respondent Nos. 5 and 6 directed issue of notice to the Respondents herein to show cause as to why this WRIT PETITION should not be admitted.

You viz:

Pragathi Charitable Trust, Rep by its Chairman Alluru Tirupal, R/o Pottepalem Village, Nellore Rural mandal, SPSR Nellore 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/appeal and the affidavit/memorandum of grounds filed therewith (copy enclosed) this WRIT PETITION should not be admitted on or before 18.11.2024, on which date the case stands posted for hearing.

The Court made the following:

ORDER

"Notice to respondent No.7.

Learned counsel for petitioners is permitted to take out personal service of notice to respondent No.7 through registered post with acknowledgement due and file proof thereof.

Learned Assistant Government Pleader shall get instructions from the official respondents.

Post on 18.11.2024 in the motion list."

Sd/- B. PRASADA RAO
ASSISTANT REGISTRAR

//TRUE COPY//


SECTION OFFICER

Foi

To,

1. The Principal Secretary, Irrigation Department, State of AP, AP Secretariat, Velagapudi, Amaravti, Guntur District. [by Special messenger along with a copy of petition and affidavit]
2. Pragathi Charitable Trust, Rep by its Chairman Alluru Tirupal, R/o Pottepalem Village, Nellore Rural mandal, SPSR Nellore District. (by RPAD- along with a copy of petition and memorandum of grounds)
3. One CC to SRI. SIVAPRASAD REDDY VENATI Advocate [OPUC]
4. Two CCs to GP FOR IRRIGATION COMM AREA DEV ,High Court Of Andhra Pradesh. [OUT]
5. Two CCs to GP for Revenue Department, High Court Of Andhra Pradesh. [OUT]
6. Two CCs to GP for Gram Panchayat, High Court Of Andhra Pradesh. [OUT]
7. One spare copy



HIGH COURT

BSB,J

DATED:04/11/2024

POST ON 18.11.2024 IN THE MOTION LIST.

NOTICE BEFORE ADMISSION

WP.No.19526 of 2024

