

(SHOW CAUSE NOTICE BEFORE ADMISSION)

IN THE HIGH COURT OF ANDHRA PRADESH AT AMARAVATHI

(Special Original Jurisdiction)

THURSDAY, THE FOURTH DAY OF AUGUST
TWO THOUSAND AND TWENTY TWO

:PRESENT:

THE HONOURABLE SRI JUSTICE SRI C.PRAVEEN KUMAR
AND
THE HONOURABLE SRI JUSTICE DUPPALA VENKATA RAMANA

W.P.(PUBLIC INTEREST LITIGATION) NO: 120 OF 2022

Between:

P Siva Kumar, S/o P.Dhayal Naidu, aged 36 years, R/o Balakrishnapuram village, Siruvanambudur Post, Satyavedu Mandal, Tirupati District, Mobile No. 9885627119 Aadhaar Card No. 234996274806 RBL Bank, Tirupathi, S/B Account No. 309016626706.

.....Petitioners

AND

1. State of Andhra Pradesh, Rep. by its Principal Secretary, Revenue Department, Secretariat, Velagapudi, Amaravathi.
2. The District Collector, Tirupati District.
3. The Revenue Divisional Officer, Satyavedu Mandal, Tirupati District.
4. The Tahsildar, Satyavedu Mandal, Tirupati District.
5. State of Andhra Pradesh, Rep. by its Principal Secretary, Mines and Geology Department, Secretariat, Velagapudi, Amaravathi.
6. Director of Mines and Geology, Ibrahimpatnam, Vijayawada.
7. Assistant Director of Mines and Geology, Chittoor.
8. Kadirivedu Gram Panchayat, Rep. by its Secretary, Kadirivedu village, Satyavedu Mandal, Tirupati District.
9. The Station House Officer, Satyavedu P.S., Tirupati District.
10. M/s GVV Enterprises, Rep. by its Managing Partner, G.Sudhir Kumar, r/o H.No.8-1-136/A, Plot No.6, Lake View Villas, Maruthi Nagar, Shaikpet, Hyderabad, Telangana.

.....Respondents

WHEREAS the above petitioner named through their Advocate SMT.S.Pranathi, presented this Petition under Article 226 of the Constitution of India is filed praying that in the circumstances stated in the affidavit filed herein, the High Court may be pleased to issue a writ, order or direction more particularly one in the nature of writ of mandamus to declaring the to issue an appropriate writ, order or direction more particularly one in the nature in WRIT of MANDAMUS declaring the action of the respondents in issuing temporary permit in favour of the 10th respondent vide Procg.No.1548/TP/2022, dated 06.06.2022 for quarrying Gravel of a quantity of 5000 Cum in an extent of 0.500 Hectare in Sy.No.138/P of Kadirivedu village, Satyavedu Mandal, Tirupati District, which land is classified and reserved as "Metha Beedu" and is being used by the villagers of Kadirivedu and surrounding villages for the grazing of their livestock as illegal, arbitrary, violative of provisions under A.P.Panchayat Raj Act, Board Standing Orders and unconstitutional and consequently: —

i.) set aside Procg.No.1548/TP/2022 dated 06.06.2022 issued by the 4th respondent in favour of the 10th respondent for quarrying Gravel of a quantity of 5000 Cum in an extent of 0.500 Hectare in Sy.No.138/P of Kadirivedu village, Satyavedu Mandal, Tirupati District and

ii.) direct the respondents not to change classification or use/permit to use any lands that as classified as 'Metha Beedu' i.e. lands in Sy.Nos. 1/2B, 17/1, 17/19, 93, 127/3, 128/1A, 129, 130, 131, 132, 133, 134/1, 135/1, 136, 137, 138, 140/2, 142/1 and 249/2 of Kadirivedu village, Satyavedu Mandal, Tirupati District, for any purpose other than as 'Metha Beedu' i.e. grazing lands; ✓

AND WHEREAS the High Court upon perusing the petition and affidavit filed herein and upon hearing the arguments of SMT.S.PRANATHI, advocate for appellant, learned Government Pleader for Revenue for Respondent Nos.1 to 4, learned Government Pleader for Mines & Geology for Respondent Nos.5 to 7, SDri.Vinod K.Reddy, learned Standing Counsel for Respondent No.8 and of learned Government Pleader for Home for Respondent No.9, directed issue of notice to the Respondents, herein to show cause as to why this W.P.(PIL) should not be admitted. ✓

You viz:

1. The Principal Secretary, Revenue Department, State of Andhra Pradesh, Secretariat, Velagapudi, Amaravathi.
2. The District Collector, Tirupati District.
3. The Revenue Divisional Officer, Satyavedu Mandal, Tirupati District.
4. The Tahsildar, Satyavedu Mandal, Tirupati District.
5. The Principal Secretary, Mines and Geology Department, State of Andhra Pradesh, Secretariat, Velagapudi, Amaravathi.
6. The Director of Mines and Geology, Ibrahimpatnam, Vijayawada.
7. The Assistant Director of Mines and Geology, Chittoor.
8. The Secretary, Kadirivedu Gram Panchayat, Kadirivedu village, Satyavedu Mandal, Tirupati District.
9. The Station House Officer, Satyavedu P.S., Tirupati District.
10. G.Sudhir Kumar, Managing Partner, M/s GVV Enterprises, R/o H.No.8-1-136/A, Plot No.6, Lake View Villas, Maruthi Nagar, Shaikpet, Hyderabad, Telangana. ✓

are 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 before 16.08.2022, on which date the case stands posted for hearing. ✓

IA NO: 1 OF 2022 ✓

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 suspend the operation of Procg.No.1548/TP/2022, dated 06.06.2022 issued by the 4th respondent in favour of the 10th respondent, pending disposal of the WP(PIL) No. 120 of 2022, on the file of the High Court.

THE COURT MADE THE FOLLOWING ORDER:

Notice before admission.

Learned Government Pleader for Revenue takes notice on behalf of respondent Nos.1 to 4.

Learned Government Pleader for Mines and Geology takes notice on behalf of respondent Nos.5 to 7.

Learned counsel for the petitioner is permitted to take out personal notice to respondent No.10 by registered post with acknowledgment due and file proof of service into the Registry. ✓

List on 16.8.2022.

Sd/- M.RAMESH BABU
DEPUTY REGISTRAR

SECTION OFFICER

//TRUE COPY//

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To,

1. The Principal Secretary, Revenue Department, State of Andhra Pradesh, Secretariat, Velagapudi, Amaravathi.
2. The District Collector, Tirupati District.
3. The Revenue Divisional Officer, Satyavedu Mandal, Tirupati District.
4. The Tahsildar, Satyavedu Mandal, Tirupati District.
5. The Principal Secretary, Mines and Geology Department, State of Andhra Pradesh, Secretariat, Velagapudi, Amaravathi.
6. The Director of Mines and Geology, Ibrahimpatnam, Vijayawada.
7. The Assistant Director of Mines and Geology, Chittoor.
8. The Secretary, Kadirivedu Gram Panchayat, Kadirivedu village, Satyavedu Mandal, Tirupati District.
9. The Station House Officer, Satyavedu P.S., Tirupati District.
10. G.Sudhir Kumar, Managing Partner, M/s GVV Enterprises, R/o H.No.8-1-136/A, Plot No.6, Lake View Villas, Maruthi Nagar, Shaikpet, Hyderabad, Telangana. (1 to 10 by RPAD- along with a copy of petition and affidavit)
11. One CC to SMT.S.PRANATHI, Advocate (OPUC)
12. Two CCs to GP for Mines & Geology, High Court of A.P. (OUT)
13. Two CCs to GP for Home, High Court of A.P. (OUT)
14. Two CCs to GP for Revenue, High Court of A.P. (OUT)
15. One CC to Sri.Vinod.K.Reddy, Standing Counsel [OPUC]
16. Two spare copies.

SRL

HIGH COURT

CPKJ & DVRJ

DATED: 04.08.2022

DATED: LIST ON 16.08.2022

NOTICE BEFORE ADMISSION

WP(PIL).No.120 of 2022

