

IN THE HIGH COURT OF ANDHRA PRADESH AT AMARAVATHI

(Special Original Jurisdiction)

**MONDAY, THE TWENTY SEVENTH DAY OF MARCH
TWO THOUSAND AND TWENTY THREE**



:PRESENT:

**THE HONOURABLE THE CHIEF JUSTICE SRI PRASHANT KUMAR MISHRA
AND
THE HONOURABLE SRI JUSTICE R RAGHUNANDAN RAO**

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, Siruvanambudar Post, Satyavedu Mandal, Tirupati District, Mobile No. 9885627119 Aadhaar Card No. 234996274806 RBL Bank, Tirupathi, S/B Account No. 309016626706.

.....Petitioner

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.
11. P.R.Venkatesan S/o.P.P.Raghavan Naicker, Aged 51 years, Occ:Business, R/o.H.No.104, Mahakavi, Bharathi Street, Poorivakkam Post, Perumudivakkam Village, Tiruvallur District, Chennai-601103.

R11 impleaded as respondent vide orders passed in I.A.No.3 of 2022 in W.P.(PIL).No.120 of 2022, dt.12.12.2022.

.....Respondents

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 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;

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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 petition coming on for hearing, upon perusing the Petition and the affidavit filed in support thereof and the order of the High Court, dated 04.08.2022, 09.09.2022, 16.09.2022, 14.11.2022, 12.12.2022, 08.02.2023 & 22.02.2023 made herein and upon hearing the arguments of SMT.S.PRANATHI Advocate for the Petitioner, and of GP FOR REVENUE for the Respondent Nos.1 to 4, GP FOR MINES AND GEOLOGY for Respondent Nos.5 to 7, SRI VINOD K REDDY Standing Counsel for Respondent No.8, GP FOR HOME for Respondent No.9, Sri.Solomon Raju Manchala, Advocate for Respondent No.11, the Court made the following

ORDER:

(Through Physical Mode)

"On the request made by the learned counsel for the petitioner, one week time is allowed to file reply to the counter affidavit filed by respondent Nos. 5 to 7.

Post this case after one week.

Interim order passed earlier is extended till the next date of hearing."

SD/- K.J. RAJA BABU
ASSISTANT REGISTRAR

//TRUE COPY//

For SECTION OFFICER

To,

1. One CC to SMT.S.PRANATHI, Advocate (OPUC)
2. Two CCs to GP for Mines & Geology, High Court of A.P. (OUT)
3. Two CCs to GP for Home, High Court of A.P. (OUT)
4. Two CCs to GP for Revenue, High Court of A.P. (OUT)
5. One CC to Sri.Vinod.K.Reddy, Standing Counsel [OPUC]
6. One CC to Sri.Solomon Raju Manchala, Advocate (OPUC)
7. Two spare copies.

CVSS

HIGH COURT

HC,J & RRR,J

DATED: 27/03/2023

DATED: POST THIS CASE AFTER ONE WEEK.

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INTERIM ORDER EXTENDED

