



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

[3328]

MONDAY ,THE TWENTY THIRD DAY OF SEPTEMBER
TWO THOUSAND AND TWENTY FOUR

PRESENT

**THE HONOURABLE SRI JUSTICE GANNAMANENI RAMAKRISHNA
PRASAD**

WRIT PETITION NO: 20368/2024

Between:

1.PADMANABHUNI SAIRAM GUPTA, S/O SURYA RAO, AGE 40 YRS,
R/O D.NO.22-24/1, SRINIVASA NAGAR, SIMHACHALAM ROAD,
SIMHACHALAM POST, PENDURTHI MANDAL.VISAKHAPATNAM
DISTRICT.

...PETITIONER

AND

1.THE STATE OF ANDHRA PRADESH, REP. BY ITS PRINCIPAL
SECRETARY, DEPARTMENT OF WOMEN DEVELOPMENT AND
CHILD WELFARE SECRETARIAT, VELAGAPUDI, AT AMARAVATI
GUNTUR DISTRICT.

2.THE DISTRICT COLLECTOR, VISAKHAPATNAM DISTRICT.

3.THE R D O, VISAKHAPATNAM-CUM-PRESIDING OFFICER,
MAINTENANCE TRIBUNAL FOR PARENTS AND SENIOR CITIZENS,
VISAKHAPATNAM DISTRICT.

4.THE TAHSILDAR, PENDURTHI MANDAI, VISAKHAPATNAM
DISTRICT.

5.PADMANABHUNI SURYARAO, S/O LATE VENKATA RAMANA, AGED
68 YEARS, C/O SATYANARAYANA, D.NO.21-135, WARD NO.93,
GVMC AREA, VENKATADRI NAGAR COLONY, SRINIVASA NAGAR,
SIMHACHALAM, VISAKHAPATNAM- 530028, VISAKHAPATNAM
DISTRICT.

...RESPONDENT(S):

Counsel for the Petitioner:

1.K JYOTHI PRASAD

Counsel for the Respondent(S):

1.GP FOR REVENUE

2.GP FOR WOMEN DEV CHILD WELFARE

The Court made the following:

Heard Sri K. Jyothi Prasad, learned Counsel for the Writ Petitioner and Sri K. Arjun Chowdary, learned Assistant Government Pleader for Revenue.

2. The contention raised by the Writ Petitioner herein is that, the Respondent No.3 has passed the Impugned Order (Ex.P.1) without affording an opportunity to the Writ Petitioner who was Respondent before him to file Counter Affidavit.

3. Learned Counsel for the Writ Petitioner has drawn the attention of this Court to the provisions of the Statute, which makes it mandatory to the Presiding Officer to grant an opportunity to the Respondent to file his or her version. Despite the fact that the specific direction was given by this Court vide Order dated 17.09.2024, the Respondent No.3 has furnished Written Instruction dated 23.09.2024, without answering specifically whether time was granted to the Writ Petitioner to file his version or not. Copy of the Written Instruction is also furnished to the learned Counsel for the Writ Petitioner. This Written Instruction is taken on record.

4. In this view of the matter, the Impugned Order dated 26.03.2024 (Ex.P.1) shall remain suspended until next listing.

5. Respondent No.3 is directed to transmit the original record and submit the same before this Court on the next date of hearing.

6. List the matter on 26.09.2024 in the Motion List.

7. Sri K. Arjun Chowdary, learned Assistant Government Pleader for Revenue is directed to convey the gist of this Order to the Revenue Divisional Officer (Respondent No.3) forthwith.

(GANNAMANENI RAMAKRISHNA PRASAD, J)

Dt: 23.09.2024

Note: Issue C.C by today

B/O

JKS