

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



MONDAY, THE EIGHTH DAY OF NOVEMBER
TWO THOUSAND AND TWENTY ONE

:PRESENT:

THE HONOURABLE SRI JUSTICE D RAMESH

WRIT PETITION NO: 25790 OF 2021

Between:

Gade Seshagiri Rao, S/o. Lakshmaiah, Age 65 years, Occ- Retired VRO, R/o. H.No.8-31-77, Khaza vaari Street, Isukapalli, Repalle - 522 265, Guntur District.

...Petitioner

AND

1. The State of Andhra Pradesh, Rep. by its Principal Secretary, Home Department, Secretariat, Secretariat Buildings, Velagapudi, Guntur District.
2. The District Collector, Guntur District, Guntur.
3. The Tahsildar, Nizampatnam Mandal, Nizampatnam, Guntur District.
4. The Superintendent of Police, Guntur District, Guntur.
5. The Station House Officer / Circle Inspector of Police, Repalle Rural Police Station, Repalle, Guntur District.
6. Smt. N. Veeramma, W/o. Nancharaiah, Aged about 50 years, R/o. Palapatla Village, Nizampatnam Mandal, Guntur District.
7. N.Sivaramakrishna Prasad @ Krishna, S/o. Nancharaiah, Aged about 35 years, R/o. Palapatla Village, Nizampatnam Mandal, Guntur District.

...Respondents

WHEREAS the Petitioner above named through his Advocate Sri Peeta Raman 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

a) declaring the action of respondents 2 to 5 in not protecting the temple property belongs to Sri Nagendraswami Temple situated at H.No.1-13/A, Pallapatla Village, Nizampatnam Mandal, Guntur District.

b) To declare the action of respondents 4 and 5 in not registering the FIR against the respondents 6 and 7 in pursuance of the complaint dt.23.10.2021 submitted by the petitioner as illegal, arbitrary and consequently.

c) To direct the respondents 2 to 5 to protect the temple property belongs to Sri Nagendraswami Temple situated at H.No.1-13/A, Pallapatla Village, Nizampatnam Mandal, Guntur District.

d) To direct the 5th respondent to grant protection to the petitioner for performing the regular pooja at Sri Nagendraswami Temple situated at H.No.1-13/A, Pallapatla Village, Nizampatnam Mandal, Guntur District.

e) To direct the 5th respondent to register the FIR against the respondents 6 and 7 in pursuance of the complaint dt.23.10.2021 submitted by the petitioner.

AND WHEREAS the High Court upon perusing the petition and affidavit filed herein and upon hearing the arguments of Sri Peeta Raman, Advocate for the Petitioner, GP for Revenue for Respondent Nos.1 to 3 and GP for Home for Respondent No.4 & 5, directed issue of notice to the Respondents herein to show cause as to why this WRIT PETITION should not be admitted.

You viz:

1. The Principal Secretary, Home Department, State of Andhra Pradesh, Secretariat, Secretariat Buildings, Velagapudi, Guntur District.
2. The District Collector, Guntur District, Guntur.
3. The Tahsildar, Nizampatnam Mandal, Nizampatnam, Guntur District.

4. The Superintendent of Police, Guntur District, Guntur.
5. The Station House Officer / Circle Inspector of Police, Repalle Rural Police Station, Repalle, Guntur District.
6. Smt. N. Veeramma, W/o. Nancharaiah, R/o. Pallepatla Village, Nizampatnam Mandal, Guntur District.
7. N.Sivaramakrishna Prasad @ Krishna, S/o. Nancharaiah, R/o. Pallepatla Village, Nizampatnam Mandal, Guntur 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 and the affidavit filed therewith (copy enclosed) this WRIT PETITION should not be admitted.

IA NO: 1 OF 2021

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 5th respondent to grant appropriate protection to the petitioner against the respondents 6 & 7 in performing the regular pooja more particularly on 08.11.2021 on the eve of Nagulachaviti Festival, pending disposal of WP No.25790 of 2021, on the file of the High Court.

The Court made the following;

ORDER:

"Notice before admission returnable in four (04) weeks."

Respondents are directed to consider the representation made by the petitioner on 23.10.2021 and take proper action.

Post after four (04) weeks."

//TRUE COPY//

Sd/-P.Vinod Kumar
ASSISTANT REGISTRAR
SECTION OFFICER

For ASSISTANT REGISTRAR

To,

1. The Principal Secretary, Home Department, State of Andhra Pradesh, Secretariat, Secretariat Buildings, Velagapudi, Guntur District.
2. The District Collector, Guntur District, Guntur.
3. The Tahsildar, Nizampatnam Mandal, Nizampatnam, Guntur District.
4. The Superintendent of Police, Guntur District, Guntur.
5. The Station House Officer / Circle Inspector of Police, Repalle Rural Police Station, Repalle, Guntur District.
6. Smt. N. Veeramma, W/o. Nancharaiah, R/o. Pallepatla Village, Nizampatnam Mandal, Guntur District.
7. N.Sivaramakrishna Prasad @ Krishna, S/o. Nancharaiah, R/o. Pallepatla Village, Nizampatnam Mandal, Guntur District. (1 to 7 by RPAD- along with a copy of petition and Affidavit)
8. One CC to Sri. Peeta Raman, Advocate [OPUC]
9. Two CCs to GP for Home, High Court of Andhra Pradesh. [OUT]
10. Two CCs to GP for Revenue, High Court of Andhra Pradesh. [OUT]
11. One spare copy.

MSB

HIGH COURT

DR,J

DATED:08/11/2021

ORDER

POST AFTER FOUR (04) WEEKS

NOTICE BEFORE ADMISSION

WP.No.25790 of 2021

INTERIM DIRECTION

17 NOV 2021