

[3209]

**(SHOW CAUSE NOTICE BEFORE ADMISSION)
IN THE HIGH COURT OF ANDHRA PRADESH AT AMARAVATI
(SPECIAL ORIGINAL JURISDICTION)
WEDNESDAY, THE THIRTIETH DAY OF AUGUST
TWO THOUSAND AND TWENTY THREE**



:PRESENT:

**THE HONOURABLE SRI JUSTICE NINALA JAYASURYA
WRIT PETITION NO: 22505 OF 2023**

Between:

1. Kurakula Padma, W/o Satya Rao Hindu, aged about 63 years R/o Peddipalem Village Anandapuram Mandal, Visakhapatnam District Andhra Pradesh - 531 163
2. Gundu Gopi @ Gopinath, S/o late Narayana Hindu, aged about 61 years R/o Peddipalem Village Anandapuram Mandal, Visakhapatnam District Andhra Pradesh - 531 163
3. Gundu Rama Rao, S/o late Narayana Hindu, aged about 59 years R/o Peddipalem Village Anandapuram Mandal, Visakhapatnam District Andhra Pradesh - 531 163
4. Gundu Vasu, S/o late Narayana Hindu, aged about 55 years R/o Peddipalem Village Anandapuram Mandal, Visakhapatnam District Andhra Pradesh - 531 163

Petitioners

AND

1. The State of AP, Rep.by Principal Secretary to Government Revenue Department, A.P Secretariat, Velagapudi, Guntur District, Andhra Pradesh - 522 238.
2. The District Collector, Visakhapatnam District Andhra Pradesh.
3. The Revision Authority-cum-Joint Collector, Visakhapatnam, Visakhapatnam District Andhra Pradesh.
4. The Revenue Divisional Officer, Bheemunipatnam, Visakhapatnam District Andhra Pradesh.
5. The Tahsildar, Mandal Revenue Office Anandapuram Mandal Visakhapatnam District Andhra Pradesh.
6. Smt.Samsarapu Surya Bhaskara Devi, W/o Polaraju, Hindu, R/o D.No.53-19-16/3, Chaitanya Nagar, Maddilapalem Visakhapatnam District, Andhra Pradesh.
7. Smt.Surisetty Vijaya Lakshmi, W/o Surisetty Krishna, Aged about 56 years R/o D.No.54-7-1, Isukhathota Visakhapatnam (U) , H.B Colony Visakhapatnam, Andhra Pradesh-530 022.
8. Sri Surisetty Lalith Raj Kumar, S/o Surisetty Krishna, Aged about 36 years R/o D.No.54-7-1, Isukhathota Visakhapatnam (U) , H.B Colony Visakhapatnam, Andhra Pradesh-530 022.
9. Surisetty Maheshwar Lakshmi Prasanna, D/o Surisetty Krishna, Aged about 34 years R/o Isukhathota Visakhapatnam (U) , H.B Colony Visakhapatnam, Andhra Pradesh-530 022.
10. Smt. Surisetty Gyaneswari Chandrika Devi, W/o D.Mathya Raju, Aged about 39 years R/o D.No.54-7-1, Isukhathota Visakhapatnam (U), H.B Colony Visakhapatnam, Andhra Pradesh-530 022.

11. Gundu Giri, S/o late Gundu Narayana Aged about 51 years, R/o Peddipalem Village Anandapuram Mandal, Visakhapatnam District Andhra Pradesh - 531 163.
12. Gundu Sekhar, S/o late Narayana Hindu, aged about 49 years R/o Peddipalem Village Anandapuram Mandal, Visakhapatnam District Andhra Pradesh - 531 163.

Respondents

WHEREAS the Petitioners above named through their Advocate Sri LEO LAW ASSOCIATES LLP 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 prayed that this Writ of Mandamus, declaring the action of the respondents especially the 3rd respondent in issuing the impugned orders bearing D.Dis.No.2777/2016/D2, dated 28-06-2023, without serving any notices and without providing opportunity of hearing, and without following due process of law, ordering for mutating the names of the Respondents 7 to 10 in respect to the land admeasuring Ac.3.04 cents situated in Vellanki Revenue Village, Anandapuram Mandal, Visakhapatnam District, and the action of 5th respondent in deleting my father's name in the revenue records and mutating the names of the respondents 7 to 10 in respect to the said land, as arbitrary, illegal, unconstitutional, violative of Article 300A of the Constitution of India, and against well settled principles of natural justice, and to set aside the same by calling for the entire record culminating into issuance of the impugned proceedings D.Dis.No.2777/2016/D2, dated 28-06-2023 by the 3rd respondent, and consequentially direct the respondents to restore the webland entries that stood in the name of my father in respect to the our Zeroyti Dry Land admeasuring Ac.3.04 cents situated in Sy No.212/2, Vellanki Revenue Village, Anandapuram Mandal, Visakhapatnam District, Andhra Pradesh.

AND WHEREAS the High Court upon perusing the petition and affidavit filed herein and upon hearing the arguments of Sri LEO LAW ASSOCIATES LLP Advocate for the Petitioners and of GP FOR REVENUE for Respondent Nos. 1 to 5 directed issue of notice to the Respondent Nos. 6 to 12 herein to show cause as to why this WRIT PETITION should not be admitted.

You viz:

1. Smt.Samsarapu Surya Bhaskara Devi, W/o Polaraju, Hindu, R/o D.No.53-19-16/3, Chaitanya Nagar, Maddilapalem Visakhapatnam District, Andhra Pradesh.
2. Smt.Surisetty Vijaya Lakshmi, W/o Surisetty Krishna, Aged about 56 years R/o D.No.54-7-1, Isukhathota Visakhapatnam (U) , H.B Colony Visakhapatnam, Andhra Pradesh-530 022.
3. Sri Surisetty Lalith Raj Kumar, S/o Surisetty Krishna, Aged about 36 years R/o D.No.54-7-1, Isukhathota Visakhapatnam (U) , H.B Colony Visakhapatnam, Andhra Pradesh-530 022.
4. Surisetty Maheshwar Lakshmi Prasanna, D/o Surisetty Krishna, Aged about 34 years R/o Isukhathota Visakhapatnam (U) , H.B Colony Visakhapatnam, Andhra Pradesh-530 022.
5. Smt. Surisetty Gyaneswari Chandrika Devi, W/o D.Mathya Raju, Aged about 39 years R/o D.No.54-7-1, Isukhathota Visakhapatnam (U), H.B Colony Visakhapatnam, Andhra Pradesh-530 022.

6. Gundu Giri, S/o late Gundu Narayana Aged about 51 years, R/o Peddipalem Village Anandapuram Mandal, Visakhapatnam District Andhra Pradesh - 531 163.
7. Gundu Sekhar, S/o late Narayana Hindu, aged about 49 years R/o Peddipalem Village Anandapuram Mandal, Visakhapatnam District Andhra Pradesh - 531 163.

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 within four weeks.

IA NO: 1 OF 2023

Petition under Section 151 CPC praying that in the circumstances stated in the affidavit filed in support of the petition, the High Court may be pleased to STAY all further proceedings in pursuant to impugned orders D.Dis.No.2777/2016/D2, dated 28-06-2023 issued by the 3rd respondent and all consequential actions, including issuance of Pattadhar Passbooks to the Respondents 7 to 10 in respect to ZeroytiDry Land admeasuring Ac.3.04 cents situated in Sy No.212/2, Vellanki Revenue Village, Anandapruam Mandal, Visakhapatnam District, pending disposal of WP No. 22505 of 2023, on the file of the High Court.

The Court made the following: ORDER

"Heard Mr.Ghanta Rama Rao, Learned Senior Counsel appearing for the petitioners.

Learned Assistant Government Pleader for Revenue to secure specific instructions in the matter from the respondent No.3.

Considering the submissions that by withdrawing R.C. No.320/2022, wherein the petitioners are party respondents and without affording an opportunity to them, the impugned order dated 28.6.2023 has been passed, there shall be stay of all further proceedings, pursuant to the said Proceedings dated 28.6.2023, for a period of eight (8) weeks.

List the matter after four (4) weeks.

Issue notice to respondent Nos.6 to 12.

Learned counsel for the petitioners is permitted to take out personal notice on respondent Nos.6 to 12 by registered post with acknowledgement due and file proof of service in the Registry, by the date of next adjournment."

//TRUE COPY//

For /

**Sd/- N. NAGAMMA
ASSISTANT REGISTRAR**

SECTION OFFICER

To,

1. The Principal Secretary to Government Revenue Department, A.P Secretariat, Velagapudi, Guntur District, Andhra Pradesh - 522 238.
2. The District Collector, Visakhapatnam District Andhra Pradesh.
3. The Revision Authority-cum-Joint Collector, Visakhapatnam, Visakhapatnam District Andhra Pradesh.
4. The Revenue Divisional Officer, Bheemunipatnam, Visakhapatnam District Andhra Pradesh.
5. The Tahsildar, Mandal Revenue Office Anandapuram Mandal Visakhapatnam District Andhra Pradesh.
6. Smt. Samsarapu Surya Bhaskara Devi, W/o Polaraju, Hindu, R/o D.No.53-19-16/3, Chaitanya Nagar, Maddilapalem Visakhapatnam District, Andhra Pradesh.
7. Smt. Surisetty Vijaya Lakshmi, W/o Surisetty Krishna, Aged about 56 years R/o D.No.54-7-1, Isukhathota Visakhapatnam (U) , H.B Colony Visakhapatnam, Andhra Pradesh-530 022.
8. Sri Surisetty Lalith Raj Kumar, S/o Surisetty Krishna, Aged about 36 years R/o D.No.54-7-1, Isukhathota Visakhapatnam (U) , H.B Colony Visakhapatnam, Andhra Pradesh-530 022.
9. Surisetty Maheshwar Lakshmi Prasanna, D/o Surisetty Krishna, Aged about 34 years R/o Isukhathota Visakhapatnam (U) , H.B Colony Visakhapatnam, Andhra Pradesh-530 022.
10. Smt. Surisetty Gyaneswari Chandrika Devi, W/o D.Mathya Raju, Aged about 39 years R/o D.No.54-7-1, Isukhathota Visakhapatnam (U), H.B Colony Visakhapatnam, Andhra Pradesh-530 022.
11. Gundu Giri, S/o late Gundu Narayana Aged about 51 years, R/o Peddipalem Village Anandapuram Mandal, Visakhapatnam District Andhra Pradesh - 531 163.
12. Gundu Sekhar, S/o late Narayana Hindu, aged about 49 years R/o Peddipalem Village Anandapuram Mandal, Visakhapatnam District Andhra Pradesh - 531 163. (Addressess 1 to 12 by RPAD- along with a copy of petition and affidavit)
13. One CC to SRI. LEO LAW ASSOCIATES LLP Advocate [OPUC]
14. Two CCs to GP FOR REVENUE ,High Court Of Andhra Pradesh. [OUT]
15. One spare copy.

psk

HIGH COURT

NJSJ

DATED:30/08/2023

LIST AFTER FOUR WEEKS

NOTICE BEFORE ADMISSION

WP.No.22505 of 2023

INTERIM STAY

