

IN THE HIGH COURT OF ANDHRA PRADESH AT AMARAVATI

(SPECIAL ORIGINAL JURISDICTION)

TUESDAY, THE TWENTY FIRST OF JANUARY

TWO THOUSAND AND TWENTY FIVE

:PRESENT:

THE HONOURABLE SRI JUSTICE GANNAMANENI RAMAKRISHNA
PRASAD

WRIT PETITION NO: 22266 OF 2024

Between:

1. Sri Podeti Venkatesu, S/o Mahalaksh mudu, Male, aged about 47 years, Agriculture, R/o D.No.11-11, Rudrakotarajugudem, T.Narasapuram Mandal, Chintalapudi, Eluru District (Erstwhile W.G.District)
2. Sri Podeti Pullayya, S/o Mahalaksh mudu, Male, aged about 48 years. Agriculture, R/o D.No.11-12, Rudrakotarajugudem, T.Narasapuram Mandal, Chintalapudi, Eluru District (Erstwhile W.G.District)
3. Smt. Podeti Mahalakshmi, W/o Mahalaksh mudu, Female, aged about 70 years, R/o D.No.11-10, Rudrakotarajugudem, T.Narasapuram Mandal, Chintalapudi, Eluru District (Erstwhile W.G.District)

Petitioners

AND

1. The State of Andhra Pradesh, Rep.by its Principal Secretary, Revenue Department, Secretariat, Velagapudi, Amaravati.
2. The District Collector, Eluru District (Erstwhile W.G.District), Collectrate Compound, Eluru.
3. The Joint Collector, Collectrate Compound, Eluru, Eluru District (Erstwhile W.G.District).
4. The Revenue Divisional Officer, Jangareddigudem Division, Jangareddigudem, Eluru District (Erstwhile W.G.District)
5. The Tahsildar, T.Narasapuram Mandal, T.Narasapuram, Eluru District (Erstwhile W.G.District) .

6. The Station House Officer, T.Narasapuram P.S., T.Narasapuram Mandal, Eluru District.
7. Sri Podeti Venkateswara Rao, S/o Subbayya, Male, aged about 50 years. Agriculture R/oD.No.11-21, Rudrakotarajugudem, T.Narasapuram Mandal, Chintalapudi, Eluru District (Erstwhile W.G.District)

Respondents

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 an appropriate writ, order or direction, more particularly one in the nature of writ of mandamus under Article 226 of Constitution of India declaring the acts of the respondents particularly 5th respondent-Tahsildar, with the aid of 6th respondent in insisting petitioners to vacate from their landed property of Ac. 1-97½ cents, bearing Survey No.803/5 of Rudrakotarajugudem Village, T.Narasapuram Mandal, Eluru District by issuing proceedings. Dated 30.07.2024 unilaterally while the civil suit in OS.No.65/2021 filed by 7th respondent against petitioners for declaration of title and possession of subject property and other civil proceedings are pending on the file of Civil Judge, Junior Division, Chintalapudi as illegal, irregular, irrational, violative of principles of natural justice, without jurisdiction and violation of Articles 14, 21 and 300-A of Constitution of India and consequently direct the respondents not to interfere in any manner with petitioners peaceful possession and enjoyment of their said land in the interest of justice.

.IA NO: 1 OF 2024

Petition under Section 151 CPC is filed 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 respondents not to interfere in any manner with petitioners' possession and enjoyment over their land with

cashew fruit bearing trees in respect of subject land to an extent of Ac. 1-97½ cents, bearing Survey No.803/5 of Rudrakotarajugudem Village, T.Narasapuram Mandal, Eluru District, which stands in the name of petitioners' father Mahalaksh mudu, pending disposal of the Writ Petition No. 22266 of 2024, 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 earlier order of the High Court dated: 05.11.2024 & 31.12.2024 made herein and upon hearing the arguments of Sri.C.Venkaiah Advocate for the Petitioners, Government Pleader for Revenue for Respondent Nos.1 to 5 and Government Pleader for Home for Respondent No.6, the Court made the following.

ORDER:

“Heard Sri Y. Sitharam, learned Counsel appearing on behalf of Sri Chalasani Venkaiah, learned Counsel for the Writ Petitioners and Sri K. Arjun Chowdary, learned Assistant Government Pleader for Revenue, Land Acquisition, Stamps & Registration.

2. Sri K. Arjun Chowdary, learned Assistant Government Pleader for Revenue, Land Acquisition, Stamps & Registration, seeks further time to file Counter Affidavit.

3. Let Counter Affidavit be filed within four weeks. Two weeks thereafter for filing Rejoinder, if any.

4. List the matter on 19.03.2025. 5. Interim Order granted earlier shall continue till the next listing.”

//TRUE COPY//

SD/- A. VIJAYA BABU
ASSISTANT REGISTRAR

SECTION OFFICER

To,

1. One CC to SRI.C.VENKAIAH Advocate [OPUC]
2. Two CCs to GP FOR REVENUE, High Court of Andhra Pradesh. [OUT]
3. Two CCs to GP for Home, High Court of Andhra Pradesh. [OUT]
4. One spare copy

HIGH COURT

GRKP,J

DATED:21.01.2025

LIST THE MATTER ON 19.03.2025

ORDER

WP.No.22266 of 2024

EXTENSION OF INTERIM ORDER

