

(SHOW CAUSE NOTICE BEFORE ADMISSION)
IN THE HIGH COURT OF ANDHRA PRADESH AT AMARAVATHI
WEDNESDAY, THE THIRTEENTH DAY OF SEPTEMBER
TWO THOUSAND AND TWENTY THREE



:PRESENT:

THE HONOURABLE SRI JUSTICE K SREENIVASA REDDY
CRIMINAL PETITION NO: 6768 OF 2023

Between:

1. Puligunda Satish Kumar, S/o late Sri.P.Ramachandra Naidu, aged 64 years, Occupation. Business, R/o D.No.19-12-357, Tirupati, Chittoor District.
2. D.Venkateswarlu Naidu, S/o Ramanjulu Naidu, aged 55 years, Occ. Business, R/o D. No. 2-28, Buchinaidupalli village, Chandragiri Mandal, Tirupati District.

Petitioners

AND

1. The State of Andhra Pradesh, Rep. by Public Prosecutor, High Court of Andhra Pradesh, Amaravathi.
2. The Mandal Executive Magistrate and Tahsildar, , Tirupathi Urban, Chittoor District.
3. B.Kesavulu, Superintendent, Sri Swamy Hathiramji Mutt, Tirupathi, Chittoor District.

Respondents

WHEREAS the Petitioners above named through their Advocate Sri D KRISHNA MURTHY presented this Petition under Section 482 of Cr.P.C, praying that in the circumstances stated in the memorandum of grounds filed in support of the Criminal Petition, the High Court may be pleased to quash the Charge Sheet against the petitioners in C.C. No. 92/2023 on the file of 1st Addl. Junior Civil Judge, Tirupati, as the same does not make out any offence against the petitioner and it is a gross abuse of process of law;

AND WHEREAS the High Court upon perusing the petition and memorandum of grounds filed herein and upon hearing the arguments of Sri D KRISHNA MURTHY Advocate for the Petitioners and of Public Prosecutor for the Respondent Nos.1 & 2 directed issue of notice to the Respondent No.3 herein to show cause as to why this CRIMINAL PETITION should not be admitted.

You viz:

B.Kesavulu, Superintendent, Sri Swamy Hathiramji Mutt, Tirupathi, Chittoor 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 memorandum of grounds filed therewith (copy enclosed) this CRIMINAL PETITION should not be admitted within six weeks.

IA NO: 1 OF 2023:

Petition under Section 482 of Cr.P.C is filed praying that in the circumstances stated in the memorandum of grounds filed in support of the petition, the High Court may be pleased to grant stay of all further proceedings including the attendance of the petitioners in C.C. No. 92/2023 on the file of 1st Addl. Junior Civil Judge, Tirupati, pending disposal of CRLP No. 6768 of 2023, on the file of the High Court.

The Court made the following Order:

“Learned Assistant Public Prosecutor takes notice on behalf of 1st and 2nd Respondents and seeks time to get instructions.

Issue notice to Respondent No.3.

Learned counsel for the petitioner is permitted to take out personal notice to Respondent No.3 by Registered Post with Acknowledgment Due and file proof of service within a period of three (3) weeks.

The accusation as against the petitioners herein is that they are making constructing in the lands belonging to the Mutt by showing false documents. Learned counsel for the petitioners submits that civil suits have been filed in respect of the said property and in the said suits it has been established that the property belongs to the petitioners herein. It is also submitted that in Writ Petition No.18712 of 2008, there was a direction to the Revenue Authorities to update the revenue records and pass such orders deem, fit and proper pertaining to Sy.No.254, 256 and 266/2.

In view of the aforesaid circumstances, there shall be interim stay of all further proceedings including appearance of the petitioners herein in C.C.No.92 of 2023 on the file of the learned I Additional Junior Civil Judge, Tirupati, for a period of eight (8) weeks.

Post after six (6) weeks.”

//TRUE COPY//

**Sd/- M.SRINIVAS
ASSISTANT REGISTRAR

SECTION OFFICER**

To,

- 1. The I Additional Junior Civil Judge, Tirupati.**
- 2. The Mandal Executive Magistrate and Tahsildar, Tirupathi Urban, Chittoor District.**

3. B.Kesavulu, Superintendent, Sri Swamy Hathiramji Mutt, Tirupathi, Chittoor District. **(by RPAD- along with a copy of petition and memorandum of grounds)**
4. One CC to SRI. D KRISHNA MURTHY Advocate [OPUC]
5. Two CCs to PUBLIC PROSECUTOR, High Court of Andhra Pradesh. [OPUC]
6. **One spare copy**

HIGH COURT

SRKJ

DATED:13/09/2023

POST AFTER SIX (6) WEEKS

NOTICE TO RESPONDENT NO.3

CRLP.No.6768 of 2023

INTERIM STAY

