

IN THE HIGH COURT OF ANDHRA PRADESH AT AMARAVATI
(SPECIAL ORIGINAL JURISDICTION)

WEDNESDAY, THE FOURTH DAY OF OCTOBER
TWO THOUSAND AND TWENTY THREE

:PRESENT:

THE HONOURABLE SRI JUSTICE NINALA JAYASURYA
WRIT PETITION NO: 24554 OF 2023



Between:

1. K Chinna Mallayya, S/o Ramudu, Age 40yrs, Caste. ST - Koya, Occupation. Agriculture, Vippalapadu Village, Buttaigudem Mandal, Eluru Dist
2. K.Nagarjuna, S/o Naga Raju, Age. 25yrs, Caste. ST-Koya, Occupation. Agriculture, Vippalapadu Village, Buttaigudem Mandal, Eluru Dist
3. K.Pentayya, S/o Sankuru, Age. 53 yrs, Caste. ST Koya, Occupation. Agriculture, Vippalapadu Village, Buttaigudem Mandal, Eluru Dist

Petitioner/s

AND

1. The State of AP, Rep.by its Principle Secretary, Revenue, Govt.A.P Velagapudi, Krishna Dist., A.P
2. The District Collector,, Eluru Dist, Eluru, A.P
3. The Project Director-cum-R and R Officer,, ITDA, K.R.Puram, Butaigudem Mandal, Eluru Dist.
4. The Special Deputy Collector (T. W),, K.R Puram, Butaigudem Mandal, Eluru District.
5. The Revenue Divisional Officer,, Jangareddigudem, Eluru District.
6. The Tahasildar,, Buttaigudem Mandal, Eluru District.

Respondent/s

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 in the nature of Writ of MANDAMUS declaring the action of the respondents in allotting land to third parties belonging to the petitioners without notice and enquiry in respect to land to an extent of Ac 8.55 cents in Sy.Nos.464 and the land to an extent of Ac.8.80 cents in Sy 465 in Dorammamidi village, Butayagudem Mandal, Eluru District as illegal, arbitrary, unconstitutional and violative of art. 14 of the Constitution of India and consequently direct the respondents to consider the representation made by the petitioners Dated 14-8-2023 to the respondents 4 to 6.

Prayer is amended as per the Order of this Court, dt.26.09.2023 vide order passed in I.A.2 of 2023.

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 direct the respondents not to dispossess the petitioners in respect to land in Sy Nos 464 and 465 in Dorammamidi village, Butayagudem Mandal, Eluru District, Pending disposal of WP 24554 of 2023, 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 upon hearing the arguments of Sri SIDDARTH C

B Advocate for the Petitioners and of GP FOR REVENUE for the Respondent Nos. 1,2,5,6 , GP FOR ITDA for Respondent Nos. 3 and 4, the Court made the following ORDER

"Heard Mr.C.B.Rammohan Reddy, learned Senior Counsel appearing for the petitioners.

Also heard learned Assistant Government Pleader for Revenue, who made his submissions with reference to the instructions dated 21.09.2023 received from the 6th respondent and also seeks further time stating that the learned Government Pleader for Revenue would argue the matter.

As seen from the said instructions, the petitioners are never in possession and enjoyment of the petition schedule land and at present the lands are in possession and enjoyment of the PDFs of Kacharam.

List this case on 11.10.2023 in the same list for production of Land Acquisition Proceedings in respect of the subject matter land.

In the meanwhile, status quo with regard to the subject matter land existing as on today shall be maintained in all respects."

Sd/- SRINIVASA PRASAD
ASSISTANT REGISTRAR

//TRUE COPY//

For ASSISTANT REGISTRAR

To,

1. The Principle Secretary, Revenue, Govt.A.P Velagapudi, Krishna Dist., A.P .
2. The District Collector,, Eluru Dist, Eluru, A.P .
3. The Project Director-cum-R and R Officer,, ITDA, K.R.Puram, Butaigudem Mandal, Eluru Dist.
4. The Special Deputy Collector (T. W),, K.R Puram, Butaigudem Mandal, Eluru District.
5. The Revenue Divisional Officer,, Jangareddigudem, Eluru District.
6. The Tahasildar,, Buttaigudem Mandal, Eluru District. (Addressess 1 to 6 by RPAD)
7. One CC to SRI. SIDDARTH C B Advocate [OPUC]
8. Two CCs to GP FOR REVENUE ,High Court Of Andhra Pradesh. [OUT]
Two CCs to GP FOR ITDA ,High Court Of Andhra Pradesh. [OUT]
9. One spare copy.

psk

HIGH COURT

NJSJ

DATED:04/10/2023

LIST ON 11.10.2023

ORDER

WP.No.24554 of 2023

STATUS QUO

