

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

THURSDAY, THE SIXTEENTH DAY OF DECEMBER
TWO THOUSAND AND TWENTY ONE

:PRESENT:
THE HONOURABLE SRI JUSTICE BATTU DEVANAND



WRIT PETITION NO: 29687 OF 2021

Between:

Yetra Sreenivasa Reddy, S/o. Veera Reddy, Aged about 51 years,
R/o. Yetravaripalem Village, Karlapalem Mandal, Guntur District.

...Petitioner

AND

1. The State of Andhra Pradesh, Represented by its Principal Secretary Department of Panchayat Raj and Rural Development Secretariat Buildings, Velagapudi, Amaravathi, Guntur District.
2. The Commissioner, Panchayat Raj and Rural Development, Vijayawada.
3. The District Collector, Guntur District, Guntur.
4. The Yetravaripalem Gram Panchayat, Yetravaripalem Village, Karlapalem Mandal Guntur District. Rep. by its Executive Officer cum Panchayat Secretary
5. Superintendent of Engineer APCPDCL, Vidyuth Bhavan Sangadigunta, Ponnur Road, Guntur - 522003.
6. Divisional Engineer APCPDCL, Bapatla Guntur District- 522101.
7. Assistant Engineer, APCPDCL, Karlapalem Power Station, Karlapalem - 522111.
8. Gorrupati Nagamaruthi, W/o. Mallikarjuna Reddy Aged about 38 years Rio. Yetavaripalem Village, Karlapalem Mandal, Guntur District.
9. Gorrupati Mallikarjuna Reddy, S/o. Not known to the Petitioner Aged not known to the Petitioner R/o. Yetavaripalem Village, Karlapalem Mandal, Guntur District.

Respondents

WHEREAS the Petitioner above named through his Advocate Sri Arun Showri G 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 high-action action of the Respondents No. 1 to 4 in not taking any action against the unauthorized construction in land admeasuring Ac.0.25cents of Sy.No.243 of Yetravaripalem Village, Karlapalem Main centre, Karlapalem Mandal, Guntur District, undertaken by the 8th and 9th Respondents without obtaining permission under the Andhra Pradesh Gram Panchayat Land Development (Layout and Building) Rules, 2002 (for short, the Rules) notified vide G.O.Ms.No.67, dated 26.02.2002, as illegal, arbitrary, high-handed, violative of fundamental rights guaranteed to the Petitioner under Article 14, 21 and 300A of Constitution of India apart from the violation of Section 121 of Andhra Pradesh Panchayat Raj Act, 1994 and the provisions of Andhra Pradesh Gram Panchayat Land Development (Layout and Building) Rules, 2002 (for short, the Rules) notified vide G.O.Ms.No.67, dated 26.02.2002 and consequently to direct the Respondents NO.1 to 4 to take immediate action as per law on the unauthorized construction undertaken by the Respondents 8 and 9 in land admeasuring Ac.0.25cents of Sy.No.243 of Yetravaripalem Village, Karlapalem Maincentre, Karlapalem Mandal, Guntur District b)declaring the proposed action of the Respondents No.5 to 7 in intending to give electricity connection to the unauthorized construction in land admeasuring Ac.0.25cents of Sy.No.243 of Yetravaripalem Village, Karlapalem Maincentre, Karlapalem Mandal, Guntur District as illegal, arbitrary, high-handed, violative of fundamental rights guaranteed to the Petitioner under Article 14, 21 and 300A of Constitution of India and consequently to direct to the Respondents No. 5 to 7 to not give any electricity permission to the unauthorized construction undertaken by the Respondents NO.8 and 9 in land admeasuring Ac.0.25cents of Sy.No.243 of Yetravaripalem Village, Karlapalem Main centre, Karlapalem Mandal, Guntur District.

AND WHEREAS the High Court upon perusing the petition and affidavit filed herein and upon hearing the arguments of Sri Arun Showri G Advocate for the Petitioner, GP for Panchayat Raj & Rural Development who takes notice on behalf of Respondent Nos.1 to 3, Sri I. Koti Reddy, Standing Counsel who takes notice on behalf of Respondent No.4 and of Sri Y. Nagi Reddy, Standing Counsel who takes notice on behalf of Respondent Nos.5,6 & 7, directed issue of notice to the Respondent Nos.8 & 9 herein to show cause as to why this WRIT PETITION should not be admitted.

You viz:

1. Gorrupati Nagamaruthi, W/o. Mallikarjuna Reddy, R/o. Yetavaripalem Village, Karlapalem Mandal, Guntur District.
2. Gorrupati Mallikarjuna Reddy, R/o. Yetavaripalem Village, Karlapalem Mandal, Guntur District.

are directed to show cause either appearing in person or through an Advocate, as to why in the circumstances set out in the petition and affidavit filed therewith (copy enclosed) this WRIT PETITION should not be admitted on or before 20.01.2022 on which date the case stands posted for hearing

The Court made the following: ORDER

Notice before admission.

Learned Government Pleader for Panchayat Raj and Rural Development takes notice for Respondent Nos.1 to 3, Sri I.Koti Reddy, learned Standing Counsel takes notice for Respondent No.4 and Sri Y.Nagi Reddy, learned Standing Counsel takes notice for Respondent Nos.5,6 and 7.

Issue notice to Respondent Nos.8 and 9.

Learned counsel for the petitioner is permitted to take out personal notice to Respondent Nos.8 and 9 and file proof of service within three(3) weeks.

Post on 20.01.2022 for filing counters by the respondents.

**Sd/- M. SURYANATHA REDDY
ASSISTANT REGISTRAR**

//TRUE COPY//

For ASSISTANT REGISTRAR

To

1. Gorrupati Nagamaruthi, W/o. Mallikarjuna Reddy, R/o. Yetavaripalem Village, Karlapalem Mandal, Guntur District.
2. Gorrupati Mallikarjuna Reddy, R/o. Yetavaripalem Village, Karlapalem Mandal, Guntur District. **(1 & 2 by RPAD)**
3. One CC to Sri Arun Showri G, Advocate [OPUC]
4. Two CCs to GP for Panchayat Raj & Rural Development, High Court of Andhra Pradesh. [OUT]
5. One CC to Sri I. Koti Reddy, Advocate (OPUC)
6. One CC to Sri Y. Nagi Reddy, Standing Counsel (OPUC)
7. One spare copy

TVR



HIGH COURT

DEVJ

DATED:16/12/2021

NOTICE BEFORE ADMISSION

WP.No.29687 of 2021

POST ON 20.01.2022

