

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

**TUESDAY, THE TENTH DAY OF OCTOBER
TWO THOUSAND AND TWENTY THREE**

:PRESENT:

**THE HONOURABLE SRI JUSTICE NINALA JAYASURYA
WRIT PETITION NO: 26609 OF 2023**



Between:

Harijana Muthamma, W/o. Narasanna, Aged about 45 years, Occ. Cultivation, R/o. Showlahalli Village, Mantralayam Mandal, Kurnool District.

...Petitioner

AND

1. The State of Andhra Pradesh, Rep. by its Principal Secretary, Revenue Development, Secretariat Buildings, Velagapudi, Amaravathi, Guntur District.
2. The District Collector, Kurnool District, Kurnool.
3. The Sub-Collector, Adhoni, Nellore District.
4. The Tahasildar, Mantralayam Mandal, Kurnool District.
5. The Village Revenue Officer, Showlahalli Village, Mantralayam Mandal, Kurnool District.
6. Station House Officer, Madhavaram Police Station, Kurnool District.

...Respondents

Petition under Article 226 of the Constitution of India is filed 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 declaring the action of the respondents No. 4 is issuing the Eviction order vide Rc. (A) 284/2022 dated 15.09.2023 under section 6 of AP Land Encroachment Act, 1905 and Order Under section 145 of CRPC dated 03.07.2023 without considering explanation as illegal and arbitrary and against the orders of this Hon'ble Court in WP No. 18955 of 2015 dated 13.12.2022 and consequently to suspend the Order dated 15.09.2023 and Order dated 03.07.2023 by directing the Respondent 4 to not to interfere the peaceful possession of the petitioner land in an extent of Ac. 2.89 cents situated at Showlahalli village, Matralayam Mandal

IA NO: 1 OF 2023

Petition under Section 151 of CPC is filed praying that in the circumstances stated in the affidavit filed in support of the petition, the High Court may be pleased to suspend the Order dated 15.09.2023 and Order dated 03.07.2023 by directing the Respondent 4 to not to interfere the peaceful possession of the petitioner land in an extent of Ac. 2.89 cents situated at Showlahalli village, Matralayam Mandal, Pending disposal of WP 26609 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 KALE VIJAYA RAJU Advocate for the Petitioner, and of GP FOR REVENUE, for the Respondent Nos.1 to 5, and of GP FOR HOME, for the Respondent No.6, the Court made the following

ORDER:

Heard learned counsel for the petitioner. Learned Assistant Government Pleader for Revenue seeks time to secure written instructions in the matter.

Considering the submission that the impugned order has been passed without considering the explanation dated 11.07.2023, let alone referring the same, there shall be a direction not to take any coercive action in respect of the subject matter property, pursuant to the impugned order dated 15.09.2023, for a period of eight weeks.

List the matter after four weeks.

//TRUE COPY//

Sd/- B. CHITTI JOSEPH
ASSISTANT REGISTRAR

For A

SECTION OFFICER

To,

1. The Principal Secretary, State of Andhra Pradesh, Revenue Development, Secretariat Buildings, Velagapudi, Amaravathi, Guntur District.
2. The District Collector, Kurnool District, Kurnool.
3. The Sub-Collector, Adhoni, Nellore District.
4. The Tahasildar, Mantralayam Mandal, Kurnool District.
5. The Village Revenue Officer, Showlahalli Village, Mantralayam Mandal, Kurnool District.
6. Station House Officer, Madhavaram Police Station, Kurnool District.
(Addressees 1 to 6 by RPAD)
7. One CC to SRI. KALE VIJAYA RAJU Advocate [OPUC]
8. Two CCs to GP FOR REVENUE, High Court of Andhra Pradesh. [OUT]
9. Two CCs to GP FOR HOME, High Court of Andhra Pradesh [OUT]
10. One spare copy

PSR

HIGH COURT

NJS,J

DATED:10/10/2023

NOTE: LIST THE MATTER AFTER FOUR WEEKS

ORDER

WP.No.26609 of 2023

INTERIM DIRECTION

