

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

WEDNESDAY, THE EIGHTEENTH DAY OF SEPTEMBER
TWO THOUSAND AND TWENTY FOUR

:PRESENT:

THE HON'BLE SRI JUSTICE GANNAMANENI RAMAKRISHNA PRASAD

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 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 the Order of the High Court, dated 10.10.2023, 01.02.2024, 04.04.2024, 10.07.2024 & 21.08.2024 made herein and upon hearing the arguments of SRI KALE VIJAYA RAJU Advocate for the Petitioner, Sri Arjun Chowdary, Assistant Government Pleader for Revenue, for the Respondent Nos.1 to 4, and of GP FOR HOME, for the Respondent No.5, the Court made the following

ORDER:

Heard Sri K. Vijaya Raju, learned Counsel for the Writ Petitioner.

2. Sri Arjun Chowdary, learned Asst. Government Pleader seeks further time to file Counter-Affidavit. Let Counter Affidavit be filed within four weeks. Two weeks thereafter for filing Re-joinder, if any.

3. List this matter on 05.11.2024.

4. Interim Order granted earlier shall stand extended till the next listing.

//TRUE COPY//

SD/- A. VIJAYA BABU
ASSISTANT REGISTRAR

Fol

SECTION OFFICER

To,

1. One CC to SRI.KALE VIJAYA RAJU 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

SRL

HIGH COURT

GRKP,J

DATED:18.09.2024

LIST THIS MATTER ON 05.11.2024.

ORDER

WP.No.26609 of 2023

EXTENDED INTERIM ORDER

