

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

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

:PRESENT:

**THE HONOURABLE SRI JUSTICE NINALA JAYASURYA
WRIT PETITION NO: 26719 OF 2023**



Between:

Battipothula Rosaiah, S/o. Rosaiah, Aged about 70 years, R/o. Pathanapuram Village, Kaligiri Mandal, S.P.S.R. Nellore District

Petitioner

AND

1. The State of Andhra Pradesh, Rep. by its Principal Secretary, Revenue Department, Secretariat, Velagapudi, Guntur District.
2. The District Collector, Nellore, S.P.S.R. Nellore District.
3. The Revenue Divisional Officer, Kavali, S.P.S.R. Nellore District.
4. The Tahsildar, Kaligiri Mandal, S.P.S.R. Nellore District.
5. Challa Vijaya Bhaskar Reddy, S/o. Panchala Reddy, Aged about not known to the petitioner, R/o. Pathanapuram Village, Kaligiri Mandal, S.P.S.R. Nellore District.

Respondents

WHEREAS the Petitioner above named through his Advocate SRI M DELHI BABU 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 writ, order or directions more particularly one in the nature of Writ of Mandamus declaring the action of the 4th respondent in issuing endorsement in RC.B/600/2023, dt. 19.07.2023, recommending to cancel the DKT patta of the petitioner instead of restore the land in Sy.No.189-3, to an extent of Ac.3.19 cents, situated at Kuthapeta Village of Kaligiri Mandal, S.P.S.R. Nellore District in favour of the petitioner is highly illegal, arbitrary, unconstitutional and violation of principles of natural justice and also apart from violative of Articles 14, 16, 21 and 300-A of the Constitution of India, set aside the same and consequently direct the 4th respondent to restore the land in Sy.No.189-3, to an extent of Ac.3.19 cents, situated at Kothapeta Village of Kaligiri Mandal, S.P.S.R. Nellore District in favour of the petitioner;

AND WHEREAS the High Court upon perusing the petition and affidavit filed herein and upon hearing the arguments of Sri M DELHI BABU Advocate for the Petitioner and of GP FOR REVENUE for the Respondent Nos.1 to 4 directed issue of notice to the Respondent No.5 herein to show cause as to why this WRIT PETITION should not be admitted.

You viz:

1. The Principal Secretary, Revenue Department, State of Andhra Pradesh, Secretariat, Velagapudi, Guntur District.
2. The District Collector, Nellore, S.P.S.R. Nellore District.

3. The Revenue Divisional Officer, Kavali, S.P.S.R. Nellore District.
4. The Tahsildar, Kaligiri Mandal, S.P.S.R. Nellore District.
5. Challa Vijaya Bhaskar Reddy, S/o. Panchala Reddy, Aged about not known to the petitioner, R/o. Pathanapuram Village, Kaligiri Mandal, S.P.S.R. Nellore District.

are be and hereby directed to show cause either appearing in person or through an Advocate on or before 01.11.2023 to which date the case stands posted as to why in the circumstances set out in the petition and the affidavit filed therewith (copy enclosed) this WRIT PETITION should not be admitted.

The Court made the following Order:

“Heard learned counsel for the petitioner.

Learned Assistant Government Pleader for Revenue seeks time to secure written instructions from the 2nd respondent with regard to the action taken pursuant to the endorsement of the 4th respondent vide Ex.P.8 dated 19.7.2023 wherein signature is dated 19.9.2023.

List the matter on 01.11.2023.

Issue notice to respondent No.5.

Learned counsel for the petitioner is permitted to take out personal notice on respondent No.5 by registered post with acknowledgement due and file proof of service in the Registry, by the date of next adjournment.”

**Sd/- M.SRINIVAS
ASSISTANT REGISTRAR**

//TRUE COPY//

SECTION OFFICER

To,

1. The Principal Secretary, Revenue Department, State of Andhra Pradesh, Secretariat, Velagapudi, Guntur District.
2. The District Collector, Nellore, S.P.S.R. Nellore District.
3. The Revenue Divisional Officer, Kavali, S.P.S.R. Nellore District.
4. The Tahsildar, Kaligiri Mandal, S.P.S.R. Nellore District.
5. Challa Vijaya Bhaskar Reddy, S/o. Panchala Reddy, Aged about not known to the petitioner, R/o. Pathanapuram Village, Kaligiri Mandal, S.P.S.R. Nellore District. **(Addresses 1 to 5 by RPAD- along with a copy of petition and affidavit)**
6. One CC to SRI. M DELHI BABU Advocate [OPUC]
7. Two CCs to GP FOR REVENUE, High Court Of Andhra Pradesh. [OUT]
8. **One spare copy**

ER

HIGH COURT

NJSJ

DATED:11/10/2023

LIST THE MATTER ON 01.11.2023

NOTICE TO RESPONDENT NO.5

WP.No.26719 of 2023

