

(SHOW CAUSE NOTICE BEFORE ADMISSION)
IN THE HIGH COURT OF ANDHRA PRADESH AT AMARAVATI
(Special Original Jurisdiction)



FRIDAY, THE THIRTEENTH DAY OF OCTOBER,
TWO THOUSAND AND TWENTY THREE

:PRESENT:

THE HONOURABLE SRI JUSTICE RAVI CHEEMALAPATI
WRIT PETITION NO: 26981 OF 2023

Between:

1. Shaik Darga Maqbul, s/o.Darga Babu, Muslim, aged 52 years,
 2. Shaik Darga Karimun @ Shabirun, w/o.Darga Maqbul, Muslim, aged 49 years,
- both are r/o.Perecharla village, Medikonduru Mandat, Guntur District.

...Petitioners

AND

1. The State of Andhra Pradesh, Rep.by its Principle Secretary Panchayatraj and Rural Development, Secretariat Buildings, Velagapudi, Amaravathi
2. The State of Andhra Pradesh, Rep.by its Principle Secretary, Revenue Department, Secretariat Buildings, Velagapudi, Amaravathi
3. The District Collector, Guntur District
4. The Revenue Divisional Officer, Medikonduru Mandal, Guntur District
5. The Tahsildar, Medikonduru Mandal, Guntur District
6. The Panchayat Secretary, Perecharla village, Medikonduru Mandal, Guntur District.
7. The Mandal Surveyor, Medikonduru Mandal, Guntur District
8. The Village Surveyor, Perecharla village, Medikonduru Mandal, Guntur District
9. The Inspector of Survey, District Survey and Land Records, Guntur
10. Munagala Sambhi Reddy, S/o.Pitchi Reddy, Hindu, aged 65 years, r/o.Vidya Nagar, Lam village, Medikonduru Mandal, Guntur District.

...Respondents

WHEREAS the Petitioners above named through their Advocate M/s Habibulla Shaik, 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, declaring the action of the 6th respondent in conducting the survey of land in S.No.273 of Perecharla village, Medikonduru mandal, Guntur District, through the Respondent No.8 at the instance of respondent No.10, without issuing any prior notice to the petitioners and other surrounding land owners and thereby issued notice ROC.No.34/2023 dt.14.09.2023 call for the explanation of 1st petitioner alleging that he encroached 5 feet of road and further without considering the explanation dt.20.09.2023 of the petitioners, 6th respondent is going to demolish the compound wall of the petitioners, as illegal, arbitrary, unconstitutional and consequentially direct the 6th respondent not to demolish the compound wall of the petitioners in furtherance of his notice dt.14.09.2023;

AND WHEREAS the High Court upon perusing the petition and affidavit filed herein and upon hearing the arguments of M/s Habibulla Shaik,

Advocate for the Petitioner and of GP for Panchayat Raj and Rural Development for Respondent No.1 and of GP for Revenue for Respondent Nos. 2 to 5, 7 to 9 and of Sri G.Venkat Reddy, Standing Counsel for Respondent No.6, directed issue of notice to the Respondents herein to show cause as to why this WRIT PETITION should not be admitted.

You viz:

1. The Principle Secretary Panchayatraj and Rural Development, State of Andhra Pradesh, Secretariat Buildings, Velagapudi, Amaravathi
2. The Principle Secretary, State of Andhra Pradesh, Revenue Department, Secretariat Buildings, Velagapudi, Amaravathi
3. The District Collector, Guntur District
4. The Revenue Divisional Officer, Medikonduru Mandal, Guntur District
5. The Tahsildar, Medikonduru Mandal, Guntur District
6. The Panchayat Secretary, Perecharla village, Medikonduru Mandal, Guntur District.
7. The Mandal Surveyor, Medikonduru Mandal, Guntur District
8. The Village Surveyor, Perecharla village, Medikonduru Mandal, Guntur District
9. The Inspector of Survey, District Survey and Land Records, Guntur
10. Munagala Sambhi Reddy, S/o.Pitchi Reddy, Hindu, aged 65 years, r/o.Vidya Nagar, Lam village, Medikonduru Mandal, Guntur District.

are be and hereby directed to show cause, either appearing in person or through Advocate, 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 on or before 20.10.2023, 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 on behalf of respondent no.1.

Learned Government Pleader for Revenue, takes notice on behalf of respondent nos.2 to 5, 7 to 9.

Sri G.Venkat Reddy, learned standing counsel, takes notice on behalf of respondent no.6.

For instructions, post this matter on 20.10.2023, in the motion list.”

**Sd/- SK. MD. RAFI
ASSISTANT REGISTRAR**

//TRUE COPY//

SECTION OFFICER

To,

1. The Principle Secretary Panchayatraj and Rural Development, State of Andhra Pradesh, Secretariat Buildings, Velagapudi, Amaravathi

2. The Principle Secretary, State of Andhra Pradesh, Revenue Department, Secretariat Buildings, Velagapudi, Amaravathi
3. The District Collector, Guntur District
4. The Revenue Divisional Officer, Medikonduru Mandal, Guntur District
5. The Tahsildar, Medikonduru Mandal, Guntur District
6. The Panchayat Secretary, Perecharla village, Medikonduru Mandal, Guntur District.
7. The Mandal Surveyor, Medikonduru Mandal, Guntur District
8. The Village Surveyor, Perecharla village, Medikonduru Mandal, Guntur District
9. The Inspector of Survey, District Survey and Land Records, Guntur
10. Munagala Sambhi Reddy, S/o.Pitchi Reddy, Hindu, aged 65 years, r/o.Vidya Nagar, Lam village, Medikonduru Mandal, Guntur District.(Addressee nos. 1 to 10 by **SPEED POST**- along with a copy of petition and affidavit)
11. One CC to SRI. HABIBULLA SHAIK Advocate [OPUC]
12. One CC to SRI G.VENKAT REDDY, Standing Counsel[OPUC]
13. Two CCs to GP FOR PANCHAYAT RAJ RURAL DEV, High Court Of Andhra Pradesh. [OUT]
14. Two CCs to GP FOR REVENUE, High Court Of Andhra Pradesh. [OUT]
15. One spare copy.

PSD

HIGH COURT

RC,J

DATED:13/10/2023

NOTE: POST THIS MATTER ON 20.10.2023, IN THE MOTION LIST.

NOTICE BEFORE ADMISSION

WP.No.26981 of 2023

