

APHC010566012025



**IN THE HIGH COURT OF ANDHRA PRADESH
AT AMARAVATI
(Special Original Jurisdiction)**

[3329]

FRIDAY, THE TWENTY FOURTH DAY OF OCTOBER
TWO THOUSAND AND TWENTY FIVE

PRESENT

THE HONOURABLE SRI JUSTICE VENKATESWARLU NIMMAGADDA

WRIT PETITION NO: 29301/2025

Between:

1. ASILETI NARASIMHA RAO, S/O RAJARAO AGED 51 YEARS, OCC-BUSINESS R/O ANTHONY NAGAR CHINTALAPUDI MANDAL CHINTALAPUDI, WEST GODAVARI DISTRICT-534470

...PETITIONER

AND

1. THE STATE OF AP, REP BY ITS PRINCIPAL SECRETARY PANCHAYAT RAJ AND RURAL DEVELOPMENT DEPARTMENT, A.P. SECRETARIAT, AMRAVATI GUNTUR DISTRICT, ANDHRA PRADESH.

2. THE DISTRICT COLLECTOR, ELURU DISTRICT, AT ELURU ANDHRA PRADESH.

3. THE DIRECTOR ESD MEESEVA, CHINTALAPUDI ELURU DISTRICT AT ELURU, ANDHRA PRADESH

4. THE MANDAL PARISHAD DEVELOPMENT OFFICER, CHINTALAPUDI MANDAL, CHINTHALAPUDI, ELURU DISTRICT, ANDHRA PRADESH.

...RESPONDENT(S):

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 topleased to issue a writ or writs more particularly in the nature of writ of mandamus declaring the action of impugned action of the 4th respondent in issuing the orders to the petitioner for eviction of Mee Seva

Centre from the premises of Mandal Praja Parishad Office, Chinthalapudi, Eluru District and to hand over the building to Mandal Praja Parishad vide R.C.No.A2/103/2025 dated.9-10-2025 under the caption of Notice without issuing any notice or opportunity and without following any due process of law as illegal, arbitrary, high handed, violation of principles of natural justice and cannot be justified in the eye of law and consequently direct the respondents not to evict the MeeSeva centre of the petitioner from the premises of Mandal Praja Parishad office, Chinthalapudi. Eluru District in the interest of justice and pass

IA NO: 1 OF 2025

Petition under Section 151 CPC praying that in the circumstances stated in the affidavit filed in support of the petition, the High Court may be pleased Pleaded to direct the respondents not to evict the MeeSeva centre of the petitioner from the premises of Mandal Praja Parishad office, Chinthalapudi Eluru District Pending disposal of the above writ petition in the interest of justice and pass

Counsel for the Petitioner:

1.CH SRINIVAS

Counsel for the Respondent(S):

1.GP FOR PANCHAYAT RAJ RURAL DEV

The Court made the following:

THE HON'BLE SRI JUSTICE VENKATESWARLU NIMMAGADDA**WRIT PETITION NO: 29301/2025****ORDER:**

This writ petition is filed under Article 226 of the Constitution of the India seeking the following reliefs:-

“to issue a writ, order or direction more particularly one in the nature of Writ of Mandamus declaring the action of the 4th respondent in issuing the orders to the petitioner for eviction of MeeSeva Centre from the premises of Mandal Praja Parishad Office, Chinthalapudi, Eluru District and to hand over the building to Mandal Praja Parishad vide R.C.No.A2/103/2025 dated 09.10.2025 under the caption of notice without issuing any notice or opportunity and without following any due process of law as illegal, arbitrary, high handed, violation of principles of natural justice and cannot be justified in the eye of law and consequently direct the respondents not to evict the MeeSeva centre of the petitioner from the premises of Mandal Praja Parishad office, Chinthalapudi in the interest of justice and pass and pass such other order.”

2. Heard learned counsel for the petitioner, learned Government Pleader for respondent Nos.1 to 3 and the learned Standing Counsel for respondent No.4.

3. Learned counsel for the petitioner submits that the petitioner has been running a MeeSeva Center at the office of the 4th respondent for the convenience of the general public and rendering citizenry services to the people of the Mandal. This MeeSeva Center has been running at the MPDO office building premises from 2021 onwards pursuant to the proceedings issued by the Joint Collector in favour of the 3rd respondent herein dated 10.12.2021. Pursuant to

the said allotment, the petitioner has been operating the said MeeSeva Center as per the terms of the letter of authorization given to him. While so, the 4th respondent herein issued the impugned notice dated 09.10.2025 straight away directing the petitioner to remove/evict the premises for providing office space to some other office, without issuing any prior notice and without providing opportunity of hearing to the petitioner, which is contrary to the terms of authorization and allotment and without observing the principles of natural justice and due process. Hence, the impugned notice is liable to be set aside.

4. On the other hand, learned Standing Counsel for respondent No.4 submits that the impugned notice certainly is pursuant to the instructions issued by the 2nd respondent and straight away directed the petitioner to evict from the subject premises without adhering to the principles of natural justice. In view of the non-observation of principles of natural justice, let the said notice would be treated as show-cause notice and the petitioner may at liberty to submit explanation. If the petitioner submits explanation, the same would be considered and pass appropriate orders in accordance with law.

5. Considering the submissions made by both the learned counsel and on perusal of the material placed on record, particularly the impugned notice dated 09.10.2025, it appears that even though it

was named as notice but it is in the form of an order seeking eviction of the petitioner from the subject premises. As elicited by the learned Standing Counsel, the petitioner was agreed to treat the impugned notice as show-cause notice for submission of his explanation for consideration of his rights over the subject property. In view of the same, the petitioner is hereby directed to submit a detailed explanation to substantiate his rights over the subject premises, within a period of three(3) weeks from the date of receipt of copy of this order. After such submission, the 4th respondent is hereby directed to consider the explanation and provide opportunity of hearing to the petitioner and pass appropriate orders with reference to the authorization, within a period of four(4) weeks thereafter. In the meanwhile, the 4th respondent is hereby directed not to interfere or not to evict the petitioner from the subject premises.

6. With the above direction, the Writ Petition is disposed of. There shall be no order as to costs.

As a sequel miscellaneous application, pending, if any, shall also stand closed.

VENKATESWARLU NIMMAGADDA, J

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HON'BLE SRI JUSTICE VENKATESWARLU NIMMAGADDA

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