

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

THURSDAY, THE NINTH DAY OF FEBRUARY
TWO THOUSAND AND TWENTY THREE

:PRESENT:

THE HONOURABLE SRI JUSTICE GANNAMANENI RAMAKRISHNA PRASAD
WRIT PETITION NO: 36414 OF 2022



[3239]

Between:

1. Kampa Hanoku, S/o.Late Mohan Rao, Age. 52 years, Occ. Business, R/o.D.No.9-6-75/9, Pent House, Anand Residency, Opp. Sivaji Park, Sivajipalem, Visakhapatnam.
2. Linton Projects Pvt. Ltd., Rep. by its Managing Director, Poosala Jaya Prakash, Reg. office at H.No.16-5-23, Elugubanti Street, Vizianagaram Town and District.

...Petitioners

AND

1. The State of Andhra Pradesh, Rep. by its Principal Secretary, Higher Education Department, A.P. Secretariat, Velagapudi, Amaravathi, Guntur District
2. The State of Andhra Pradesh, Rep. by its Principal Secretary, MA and UD Department, A.P. Secretariat, Velagapudi, Amaravathi, Guntur District
3. The District Collector, Visakhapatnam, Visakhapatnam District,
4. The Andhra University, Rep. by its Registrar, Andhra University, Waltair, Visakhapatnam, Visakhapatnam District.
5. The Revenue Divisional Officer, Visakhapatnam, Visakhapatnam District,
6. The Mandal Revenue Officer, Visakhapatnam, Visakhapatnam District,
7. The Greater Visakhapatnam Municipal Corporation, Rep. by its Commissioner, Visakhapatnam, Visakhapatnam District.
8. The Town Surveyor, Visakhapatnam, Visakhapatnam District,
9. The Assistant Director, District Survey and Land Records, Visakhapatnam, Visakhapatnam 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 appropriate writ or order or direction more particularly one in the nature of writ of mandamus declaring that the action of the 4th respondent in entering in to the petitioners' land in T.S.No.54/1 and 2 and 54/C, Block No.5 of Waltair Ward, near Polamba Temple Area Pedda Waltair, Greater Visakhapatnam Municipal Area, Visakhapatnam an extent of 840 Sq.yards and 215 Sq.yards together with AC sheet Shed measruing 200 Sq.feet and the 2nd petitioner land an extent of 1735 Sq.yards along with his men and police force and demolished the AC Sheet Shed with the help of JCB and procalners during the night time at 11.30 p.m. and trying to occupy the petitioner's private land by constructing the compound wall contending that it is Andhra Univiersity land is illegal, arbitrary and in violation of Art. 14 and 300-A of the Constitution of India and consequently direct the 4th respondent not to occupy the petitioner's land by constructing the compound wall in T.S.No.54/1 and 2 and 54/C, Block No.5 of Waltair Ward, near Polamba Temple Area Pedda Waltair, Greater Visakhapatnam Municipal Area, Visakhapatnam an extent of 840 Sq.yards and 215 Sq.yards together with AC sheet Shed measruing 200 Sq.feet and the 2nd petitioner

land an extent of 1735 Sq.yards by restoring the demolished the structures in the petitioner's land in the interest of justice.

IA NO: 1 OF 2022

Petition under Section 151 CPC praying that in the circumstances stated in the affidavit filed in support of the writ petition, the High Court may be pleased to direct the 4th respondent not to occupy the petitioner's land by constructing the compound wall in T.S.No.54/1 and 2 and 54/C, Block No.5 of Waltair Ward, near Polamba Temple Area Pedda Waltair, Greater Visakhapatnam Municipal Area, Visakhapatnam an extent of 840 Sq.yards and 215 Sq.yards together with AC sheet Shed measruing 200 Sq.feet and the 2nd petitioner land an extent of 1735 Sq.yards by restoring the demolished the structures in the petitioner's land Pending disposal of WP 36414 of 2022, on the file of the High Court,

The petition coming on for hearing, upon perusing the Writ Petition and the affidavit filed in support thereof and the earlier Orders of the High Court dated 14.11.2022 05.12.2022 & 20.12.2022 and upon hearing the arguments of Sri V SREEMAN NARAYANA, Advocate for Petitioners and of GP FOR HIGHER EDUCATION for Respondent No.1, GP FOR MA & UD for Respondent No.2, , GP FOR REVENUE for Respondent No.3,5,6,8,9, Sri V SAI KUMAR, Advocate for Respondent No.4, Sri S LAXMI NARAYANA REDDY, Advocate for Respondent No.7, the Court made the following.

ORDER:

“ Let Counter- Affidavit be filed within three weeks. One week thereafter for filing Re-Joinder, if any.

2. List the matter under the caption “ Complete Matters.”

3. Parties are directed to file short Synopsis, List of Dates and Citations.

4. Interim Order granted earlier shall stand extended till the next date of hearing.”

SD/- A.VIJAYA BABU
ASSISTANT REGISTRAR

//TRUE COPY//

F,

SECTION OFFICER

To,

1. One CC to SRI. SREEMANNARAYANA VATTIKUTI Advocate [OPUC]
2. One CC to SRI. V.SAI KUMAR, Advocate[OPUC]
3. Two CCs to GP for Revenue, High Court of Andhra Pradesh[OUT]
4. Two CCs to GP for MA & UD, High Court of Andhra Pradesh[OUT]
5. Two CCs to GP FOR HIGHER EDUCATION ,High Court Of Andhra Pradesh. [OUT]
6. One spare copy

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HIGH COURT

GRKP,J

DATED:09/02/2023

NOTE: List the matter under the caption " Complete Matters

ORDER

WP.No.36414 of 2022

Interim order extended

