



(SHOW CAUSE NOTICE BEFORE ADMISSION)

IN THE HIGH COURT OF ANDHRA PRADESH: AT AMARAVATI

(Special Original Jurisdiction)

THURSDAY, THE FOURTEENTH DAY OF DECEMBER
TWO THOUSAND AND TWENTY THREE

:PRESENT:

THE HONOURABLE MS JUSTICE B S BHANUMATHI

WRIT PETITION NO: 31594 OF 2023

Between:

Tiramareddy Srinivasu, S/o Tiramareddy Manikyam, Aged about 44 years,
Occ: Cultivation, Y.B. Agraharam, Nathavaram Mandal, Anakapalli District.

AND

Petitioner

1. The State of Andhra Pradesh, Represented by it's Principal Secretary, Home Department, Secretariat Building, Velagapudi, Amaravati, Guntur District.
2. The Superintendent of Police, Anakapalli District, at Anakapalli.
3. The Circle Inspector of Police, Narsipatnam Police station, Anakapalli District.
4. The Sub Inspector of Police, Nathavaram Police Station, Nathavaram, Anakapalli District.
5. Gopalli Nageswara Rao, S/o Appanna, aged about 53 years, R/o 1-155, Y.B. Agraharam, Nathavaram Mandal, Anakapalli District.

Respondents

WHEREAS the Petitioner above named through his Advocate SMT.T.V. SRI DEVI presented this Petition under Article 226 of the Constitution of India is filed 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 Mandamus declaring the action of the respondents 3 and 4 in interfering with petitioner's possession and enjoyment of land to an extent of Ac 1.10 cents in Sy.No.20/7 (old Sy No. 58), Y.B. Agraharam Village, Nathavaram Mandal, Anakapalli District without considering petitioner's possession and pendency of civil disputes between petitioner and 5th respondent is illegal, arbitrary and violative of Articles 14, 21 and 300-A of Constitution of India and opposed to the principles of natural justice.

AND WHEREAS the High Court upon perusing the petition and affidavit filed herein and upon hearing the arguments of SMT.T.V.SRI DEVI Advocate for the Petitioner and Assistant GP for Home for 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, Home Department, State of Andhra Pradesh, Secretariat Building, Velagapudi. Amaravati, Guntur District.
2. The Superintendent of Police, Anakapalli District, at Anakapalli.
3. The Circle Inspector of Police, Narsipatnam Police station, Anakapalli District.
4. The Sub Inspector of Police, Nathavaram Police Station, Nathavaram, Anakapalli District.
5. Gopalli Nageswara Rao, S/o Appanna, R/o 1-155, Y.B.Agraharam, Nathavaram Mandal, Anakapalli District.

are be and hereby directed to show cause either appearing in person or through an 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 28.12.2023 on which date the case stands posted for hearing.

IA NO: 1 OF 2023

Petition under Section 151 CPC is filed praying that in the circumstances stated in the affidavit filed in support of the writ petition, the High Court may be pleased to grant interim orders directing the 3rd and 4th respondents not to interfere with petitioner's possession and enjoyment of land to an extent of Ac 1.10 cents in Sy No. 20/7 (old Sy No. 58), Y.B. Agraharam Village, Nathavaram Mandal, Anakapalli District, pending disposal of the Writ Petition No.31594 of 2023, on the file of the High Court.

THE COURT MADE THE FOLLOWING ORDER:

The learned Assistant Government Pleader for Home submitted that after registration of a case in Crime No.154 of 2023, on a complaint given by the 5th respondent herein, the 5th respondent filed W.P.No.19909 of 2023, seeking to provide Police aid for implementation of injunction order dated 30.08.2022 in O.S.No. 181 of 2022 on the file of the learned Principal Junior Civil Judge-cum-Judicial Magistrate of First Class, Narsipatnam, and the same was disposed of on 19.09.2023, directing the Police to dispose of the representation dated 22.08.2023 made by the petitioner therein i.e., the 5th respondent herein, in accordance with law, within a period of four (04) weeks from the date of receipt of a copy of that order and that pursuant to the said order, the Police took up the matter but they did not interfere in the civil dispute.

Notice to the 5th respondent.

The learned counsel for the petitioner is permitted to take out personal service of notice to the 5th respondent through registered post with acknowledgement due and file proof thereof.

Post on 28.12.2023.

Sd/- N. NAGAMMA
ASSISTANT REGISTRAR

//TRUE COPY//

SECTION OFFICER

To,

1. The Principal Junior Civil Judge-cum-Judicial Magistrate of First Class, Narsipatnam, Anakapalli District.
2. The Principal Secretary, Home Department, State of Andhra Pradesh, Secretariat Building, Velagapudi. Amaravati, Guntur District.
3. The Superintendent of Police, Anakapalli District, at Anakapalli.
4. The Circle Inspector of Police, Narsipatnam Police station, Anakapalli District.
5. The Sub Inspector of Police, Nathavaram Police Station, Nathavaram, Anakapalli District.
6. Gopalli Nageswara Rao, S/o Appanna, R/o 1-155, Y.B.Agraharam, Nathavaram Mandal, Anakapalli District. (2 to 6 by RPAD)
7. One CC to SRI.T.V.SRI DEVI Advocate [OPUC]
8. Two CCs to GP FOR HOME, High Court of Andhra Pradesh. [OUT]
9. One spare copy

SRL

HIGH COURT

BSBJ

DATED:14/12/2023

NOTE: POST ON 28.12.2023

NOTICE BEFORE ADMSSION

WP.No.31594 of 2023

DIRECTION

