



IN THE HIGH COURT OF ANDHRA PRADESH

AT AMARAVATI

[3460]

(Special Original Jurisdiction)

MONDAY, THE TWENTY SEVENTH DAY OF APRIL

TWO THOUSAND AND TWENTY SIX

PRESENT

THE HONOURABLE SRI JUSTICE NYAPATHY VIJAY

WRIT PETITION NO: 33149/2025

Between:

1.KARRI ANANDA RAJU,, S/O KARRI RAJESWARARAO VURAF
LUTHER PAUL, AGED ABOUT 43 YEARS, R/O D.NO. 2-27,
TADIKONDA, GUNTUR DISTRICT

...PETITIONER

AND

1.THE STATE OF ANDHRA PRADESH, REP. BY ITS PRINCIPAL
SECRETARY, SOCIAL WELFARE DEPARTMENT, A.P.
SECRETARIAT AT VELAGAPUDI, AMARAVATHI, GUNTUR
DISTRICT

2.THE A P SCHEDULED CASTES COOPERATIVE FINANCE
CORPORATION LTD, REP. BY ITS MANAGING DIRECTOR,
TADEPALLI, GUNTUR DISTRICT

3.THE DISTRICT COLLECTOR, GUNTUR DISTRICT AT
GUNTUR

4.THE DISTRICT SCHEDULED CASTE SERVICE
COOPERATIVE SOCIETY LTD, REP. BY ITS EXECUTIVE
DIRECTOR, SOCIAL WELFARE COMPLEX,GUNTUR
DISTRICT

...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 to issue a writ order or direction more particularly one in the nature of a Writ of Mandamus declaring the Notice vide Rc.No.424/2025/SC/AEO, dated 15.11.2025 of the Respondent No.4 with respect to the shop no.1 in Shopping complex

at Bustand in Tadikonda Village, Guntur District of the Petitioner as illegal, arbitrary, unreasonable, unconstitutional, without jurisdiction, unjustified and unsustainable and set-aside the same and consequently direct the Respondents not to interfere with the Petitioners possession and enjoyment of the subject premises and pass such other orders.

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 to direct the Respondents not to dispossess the Petitioner with respect to the shop no.1 in Shopping complex at Bustand in Tadikonda Village, Guntur District in pursuant to Notice vide Rc.No. 424/2025/SC/AEO, dated 15.11.2025 of the Respondent No.4 and pass such other orders.

IA NO: 1 OF 2026

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 to vacate the interim order dt: 28.11.2025 passed in W.P.No.33149 of 2025 and pass such other orders.

Counsel for the Petitioner:

- 1.SODUM ANVESHA

Counsel for the Respondent(S):

- 1.GANDRALA RATHNA KUMAR SC For APSCCFC LTD
- 2.GP FOR REVENUE
- 3.GP FOR SOCIAL WELFARE

The Court made the following:

THE HON'BLE SRI JUSTICE NYAPATHY VIJAY

WRIT PETITION No.33149 of 2025

ORDER:

1. The present Writ Petition is filed questioning the notice issued by Respondent No.4 *vide* Rc.No.424/2025/SA/AEO, dated 15.11.2025 directing the Petitioner to vacate Shop No.1 in the Shopping Complex at Bus Stand in Tadikonda Village, Guntur District, and to declare the same as illegal and arbitrary.

2. The facts in brief are as follows;

The father of the Petitioner by name Karri Rajeswararao Vuraf Luther Paul was allotted Room No.1 in the Shopping Complex constructed by the District Scheduled Castes Service Cooperative Society Limited, Guntur at Bus Stand in Tadikonda Village on 25.09.1986 by Respondent No.3. The father of the Petitioner was doing welding works and was paying monthly rents regularly as directed by the Respondent-authorities. On account of the age related ailments, the Petitioner's father expired on 03.06.2025 and the works are being continued in the said shop by the Petitioner.

3. While so, Respondent No.3 issued the impugned notice dated 15.11.2025 calling upon the Petitioner to vacate the shop-in-question within seven (7) days. The Petitioner submitted his explanation to the said

notice on 21.11.2025 stating that his father was a renowned inventor for low cost Weed Plucking Hoe. It is stated that the said instrument helps the farmers to pluck the weed in their farms easily and the said innovation got national recognition by the National Innovation Foundation. It is stated that the said instrument is being manufactured in the shop-in-question. As there was no response to the explanation submitted by the Petitioner on 21.11.2025, the present Writ Petition is filed.

4. In the Counter-Affidavit filed by Respondent No.4, it is stated that the father of the Petitioner was allotted the shop-in-question on lease @ Rs.35/- per month during the year 1986. It is further stated that the allotment is not a hereditary right and the Petitioner cannot claim right for continuance in the shop-in-question. It is further stated that the father of the Petitioner was continued in the shop-in-question for more than 40 years and the Respondent-Society is intending to allot the shop to the eligible beneficiaries so as to ensure their livelihood. Reliance was placed on G.O.Ms.No.26, Social Welfare (SCP) Department, dated 18.08.2025, which provides criteria for allotment and that the Petitioner could not come within the zone of the said G.O.,

5. Heard Mrs. Sodum Anvesha, learned counsel for the Petitioner and Mr. G. Ratna Kumar, learned Standing Counsel appearing for Respondent Nos.2 and 4.

6. The father of the Petitioner was allotted the shop-in-question by Respondent No.3/District Collector on 25.09.1986 *vide* Rc.No.232/84/SC/W7. The purport of the allotment of the shops is to enable the eligible members of the Scheduled Caste Community to eke out their livelihood by doing economic activity in the said shops. The father of the Petitioner continued in the shop-in-question from the year 1986 till 03.06.2025.

7. As rightly contended by the learned Standing Counsel that no allotment was made in favour of the Petitioner and the Petitioner as a matter of right cannot seek for continuance in the shop-in-question. However, the Petitioner being a member of the Scheduled Caste Community is also entitled to be considered for allotment of the shop in terms of G.O.Ms.No.26, dated 18.08.2025 subject to the financial condition.

8. In the light of the above, the Writ Petition is disposed of, with the following directions;

- (i) The Petitioner shall submit a representation to the Respondent-authorities explaining his financial status and other information as sought by the Respondents for his continuance in the shop-in-question within a period of two (2) weeks from today;

(ii) The Respondent-authorities shall consider the representation of the Petitioner for his continuance in the shop-in-question taking note of the financial status of the Petitioner and the parameters prescribed in G.O.Ms.No.26, Social Welfare (SCP) Department, dated 18.08.2025;

(iii) The above exercise shall be completed within a period of three (3) months from the date of receipt of the representation of the Petitioner;

(iv) The Respondents shall take further action against the Petitioner after a decision is taken with regard to the continuance of the Petitioner in the shop-in-question;

(v) No order as to costs.

As a sequel, pending applications, if any, shall stand closed.

NYAPTHY VIJAY, J

Date: 27.04.2026

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THE HON'BLE SRI JUSTICE NYAPATHY VIJAY

WRIT PETITION No.33149 of 2025

Date: 27.04.2026

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