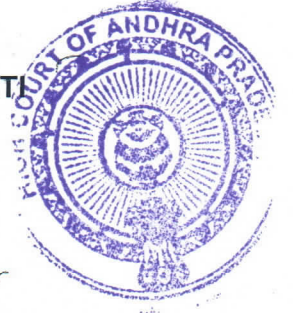


**(SHOW CAUSE NOTICE BEFORE ADMISSION)
IN THE HIGH COURT OF ANDHRA PRADESH AT AMARAVATHI
(SPECIAL ORIGINAL JURISDICTION)**



TUESDAY, THE SECOND DAY OF JANUARY,
TWO THOUSAND AND TWENTY FOUR

:PRESENT:

**THE HONOURABLE SRI JUSTICE NINALA JAYASURYA
WRIT PETITION NO: 33603 OF 2023**

Between:

Digumarthi Savitri, W/o. Narasimhamurthy Age 57 years, R/o. H. No. 1-145/1
Marteru Village, Penumantra Mandal West Godavari District.

...Petitioner

AND

1. The State of Andhra Pradesh, rep by its Principal Secretary Panchayat Raj and Rural Development Department, Buildings, Amaravathi, Guntur District.
2. The District Collector, (Panchayat wing) West Godavari District At Bhimavaram
3. The District Panchayat Officer, Bhimavaram, West Godavari District
4. The Divisional Panchayat Officer, Narasapuram, West Godavari District
5. The Marteru Gram Panchayat, Marteru Penumantral Mandal, West Godavari District Represented by its Secretary.
6. Kamidi Lakshmi, W/o. Premanandam Age 56 years, R/o. Marteru Village Penumantra Mandal, West Godavari District.

...Respondents

WHEREAS the Petitioner above named through her Advocate Sri Kambhampati Ramesh Babu, 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 an appropriate order or direction more particularly, one in the nature of Writ of Mandamus declaring the action of respondent Nos. 2 to 5 in not taking any action to stop and remove the unauthorized construction being made by the 6th respondent adjacent to the petitioner's house bearing H. No 1-145/1, Marteru Village, Penumantra Mandal, West Godavari District without obtaining any permission and without following the prescribed norms as illegal, arbitrary, malafidy, irresponsible and contrary to law apart from being violative of Articles 14, 21 and 300A of the Constitution of India and consequently direct the respondent Nos. 2 to 5 to remove the unauthorized construction being made by the 6th respondent adjacent to the petitioner's house bearing H.No. 1- 145/1, Marteru Village, Penumantra Mandal, West Godavari District in the interest of justice;

AND WHEREAS the High Court upon perusing the petition and affidavit filed herein and upon hearing the arguments of Sri Kambhampati Ramesh Babu, Advocate for the Petitioner and of GP for Panchayat Raj for Respondent Nos. 1 to 4 and of Sri N.Srihari, Standing Counsel for Grampanchayat for Respondent No.5, directed issue of notice to the Respondent No.6 herein to show cause as to why this WRIT PETITION should not be admitted.

You viz:

Kamidi Lakshmi, W/o. Premanandam Age 56 years, R/o. Marteru Village Penumantra Mandal, West Godavari District.

be and hereby are 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 24.01.2024, on which date the case stands posted for hearing.

IA NO: 1 OF 2023

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 2 to 6 to stop the unauthorised construction being made by the 6th respondent adjacent to the petitioner's house bearing H. No. 1-145/1, Marteru Village, Penumantra Mandal, West Godavari District, pending disposal of WP No. 33603 of 2023, on the file of the High Court.

THE COURT MADE THE FOLLOWING ORDER:

"Heard learned counsel for the petitioner.

Learned Standing Counsel representing the 5th respondent seeks time to secure written instructions in the matter.

Issue notice to respondent No.6.

Learned counsel for the petitioner is permitted to take out personal notice on respondent No.6 by registered post with acknowledgement due and file proof of service in the Registry, by the date of next adjournment.

List the matter on 24.1.2024.

In the event, the 6th respondent is making construction without obtaining permission from the competent Authority, the 5th respondent shall ensure that further constructions is not proceeded with."

//TRUE COPY//

Sd/- S. SRINIVASA PRASAD
ASSISTANT REGISTRAR
SECTION OFFICER

To,

1. Kamidi Lakshmi, W/o. Premanandam Age 56 years, R/o. Marteru Village Penumantra Mandal, West Godavari District. (by RPAD- along with a copy of petition and affidavit)
2. One CC to SRI. KAMBHAMPATI RAMESH BABU Advocate [OPUC]
3. One CC to SRI. N.SRIHARI, Standing Counsel [OPUC]
4. Two CCs to GP FOR PANCHAYAT RAJ RURAL DEV ,High Court Of Andhra Pradesh. [OUT]
5. One spare copy.

PSD

HIGH COURT

NJS,J

DATED:02/01/2024

NOTE: LIST THE MATTER ON 24.01.2024

NOTICE BEFORE ADMISSION

WP.No.33603 of 2023

DIRECTION

