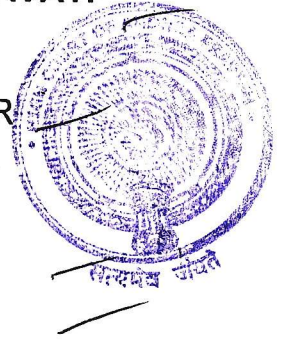


**IN THE HIGH COURT OF ANDHRA PRADESH AT AMARAVATI
(SPECIAL ORIGINAL JURISDICTION)**

**SATURDAY, THE TWENTIETH DAY OF DECEMBER
TWO THOUSAND AND TWENTY FIVE**

:PRESENT:

**THE HONOURABLE SRI JUSTICE D RAMESH
WRIT PETITION NO: 35686 OF 2025**



Between:

M Hemadri Naidu, S/o. Late M. Anjineyulu Naidu age 50 years, Cherlopalli Village, Pulikallu Post, Penumur Mandal, Chittoor District- 517126.

...Petitioner

AND

1. The State of Andhra Pradesh, Rep. by its Principal Secretary to Government, Revenue Department, Secretariat, Velagapudi, Amaravati, Guntur District-522238.
2. The District Collector, Chittoor District, Chittoor- 517002.
3. The Revenue Divisional Officer, Chittoor District, Chittoor-517002.
4. The Tahsildar, Penumur Mandal, Chittoor District-517126.

...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 an appropriate Writ, Order or Direction more particularly in the nature of Writ of Mandamus to declare the action of the 4th respondent/Thashildar, Penumur Mandal and his subordinates in causing obstruction to the functioning of PHP Bricks Industry, located in Sy.No.381 of Pulikallu Revenue village and Panchayath, Penumur Madal, Chittor District run by the petitioner without any authority of law and even before he submitted his explanation on 24-12-2025 to the Notice-II in Roc. A/01/2025 Dt. 15-12-2025 issued by the 4th respondent as illegal, arbitrary, violative of principles of natural justice and Articles. 15 and 300-A of Constitution of India and in

violation of the GOMs.No.80 Dt.22-04-2010 issued by the State Government in the interests of justice.

IA NO: 1 OF 2025

Petition under Section 151 of CPC is filed praying that in the circumstances stated in the affidavit filed in support of the petition, the High Court may be pleased to direct the 4th respondent and his subordinates not to interfere with the functioning/ running of "PHP Bricks Industry" located in Sy.No.381 of Pulikallu Revenue village and Panchayath, Penumur Madal, Chittoor District by the petitioner, Pending disposal of WP 35686 of 2025, on the file of the High Court.

The Petition coming on for hearing, upon perusing the Petition and the affidavit filed in support thereof and upon hearing the arguments of SRI M CHALAPATI RAO Advocate for the Petitioner, and of GP FOR REVENUE for the Respondent Nos.1 to 4, the Court made the following

ORDER:

The Writ Petition is filed aggrieved by the notice issued by the 4th respondent.

Initially, the respondents have entertained the complaint and issued notice on 08.12.2025 and the petitioners have submitted their explanation. After submission of petitioners' explanation again the respondents have one more notice on 15.12.2025 and to the said notice, the petitioners are contemplating to submit the reply, before that the respondents herein are trying to interfere and dispossess the petitioners from the brick kilns.

Learned Government Pleader for Revenue appearing on behalf of respondents submits that initially when the notice was issued, the petitioners have submitted their explanation without bringing to the

notice of the authorities that the relevant material was not furnished. Hence, the second notice dated 15.12.2025 has been issued by providing all the relevant material. When it came to the notice of the authorities that the petitioners are conducting brick kilns within one kilometer of habitation, which is contrary to the G.O.Ms.No.80, Environment, Forests, Science and Technology (Environment) Department, dated 22.04.2010, the petitioners are at liberty to submit their explanation.

Learned counsel for the petitioners further submits that the initiation of the action itself is contrary to the G.O.Ms.No.80. He further submits that G.O.Ms.No.80 gives powers only to the 4th respondent to initiate proceedings under Section 133 of Cr.P.C. Except that they are not entitled to interfere with the activity of the petitioners, but notice issued is not under Section 133 of Cr.P.C. Hence, the impugned notice is also contrary to the G.O.Ms.No.80, EFS&T Dept., dated 22.04.2010.

Considering the said submissions, there shall be stay of all further proceedings pursuant to the notice dated 15.12.2025, till the next date of hearing.

List the matter after four weeks for filing counter.

SD/- B.PRASAD RAO
DEPUTY REGISTRAR

//TRUE COPY//

SECTION OFFICER

For

To,

1. The Principal Secretary to Government, Revenue Department, State of Andhra Pradesh, Secretariat, Velagapudi, Amaravati, Guntur District-522238. (by Special Messenger)
2. The District Collector, Chittoor District, Chittoor- 517002.
3. The Revenue Divisional Officer, Chittoor District, Chittoor-517002.
4. The Tahsildar, Penumur Mandal, Chittoor District-517126. (Addressees 2 to 4 by RPAD)

5. One CC to SRI. M CHALAPATI RAO Advocate [OPUC]
6. Two CCs to GP FOR REVENUE ,High Court of Andhra Pradesh. [OUT]
7. **One spare copy**

PSR

HIGH COURT

DR,J

DATED:20/12/2025

NOTE: List the matter after four weeks for filing counter.

ORDER

WP.No.35686 of 2025

INTERIM STAY

