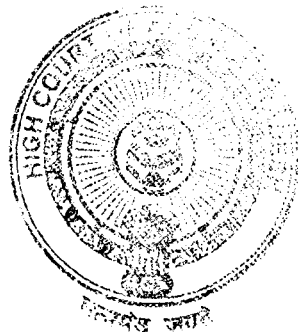


**(SHOW CAUSE NOTICE BEFORE ADMISSION)
IN THE HIGH COURT OF ANDHRA PRADESH AT AMARAVATI
(SPECIAL ORIGINAL JURISDICTION)**

FRIDAY, THE TWENTY EIGHTH DAY OF JANUARY
TWO THOUSAND AND TWENTY TWO

:PRESENT:

THE HONOURABLE SRI JUSTICE BATTU DEVANAND



WRIT PETITION NO: 1978 OF 2022

Between:

1. K Munaswamy, S/o. (late) Maraiah, Aged 86 years, R/ o. Appaiahpalem Village, Mallavaripalem East Panchayat, Irugulam Post, Sathyavedu Mandal, Chittoor District.
2. V. Ashok, S/o. Munaswamy, Aged 51 years, R/o. Appaiahpalem Village, Mallavaripalem, East Panchayat, Irugulam Post, Sathyavedu Mandal, Chittoor District.
3. P. Subrahmanyam, S/o. Chinna Chengaiah, Aged 78 years, R/o. Appaiahpalem Village, Mallavaripalem, East Panchayat, Irugulam Post, Sathyavedu Mandal, Chittoor District.

...Petitioners

AND

1. The State of AP, Rep. by its Principal Secretary, Panchayat Raj Department, Secretariat Buildings, Velagapudi, Amaravathi, Guntur District.
2. The District Collector (Panchayat Wing), Chittoor, Chittoor District.
3. The District Panchayat Officer, Chittoor, Chittoor District.
4. Mandal Parishad Development Officer, Sathyavedu Mandal, Chittoor District.
5. Mallavaripalem East Grama Panchayat, Rep. by its Panchayat Secretary, Mallavaripalem Village, Sathyavedu Mandal, Chittoor District.
6. The Station House Officer, Sri City Hitech Police Station, Sathyavedu Mandal, Chittoor District.
7. The Sarpanch, Mallavaripalem East Grama Panchayat, Sathyavedu Mandal, Chittoor District.
8. Sanyasaiah, (Husband of Sarpanch), S/o. Venkata Swamy, Aged Major, R/o. Appaiahpalem Village, Mallavaripalem East Panchayat, Irugulam Post, Sathyavedu Mandal, Chittoor District.
9. Venkateswarlu Naidu, S/o. Sri Karapaiah, Aged Major, R/o. Appaiahpalem Village, Mallavaripalem East Panchayat, Irugulam Post, Sathyavedu Mandal, Chittoor District.
10. Smt. Manjula, W/o. Venkateswarlu Naidu, Aged Major, R/o. Appaiahpalem Village, Mallavaripalem East Panchayat, Irugulam Post, Sathyavedu Mandal, Chittoor District.

...Respondents

WHEREAS the Petitioners above named through their Advocate Sri V R Reddy Kovvuri 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 any writ or direction preferably a writ in the nature of Mandamus declaring the action of Respondent Nos. 2 to 5 not taking action on the representations dated 11.01.2022 and 13.01.2022, made by the petitioners against the Respondent Nos. 9 and 10 in digging public road into 15 feet depth in Appaiahpalem Village, Mallavaripalem East Gram Panchayat and also making unauthorized construction of building without obtaining permission from the 5th respondent to an extent of Ac. 0.03 cents in Sy.No.3/1 of Appaiahpalem Village, Mallavaripalem East Gram Panchayat, Sathyavedu Mandal, Chittoor District as illegal, arbitrary and violative of Articles 14 and 21 apart from contrary to the provisions of A.P. Panchayat Raj Act, 1994 and consequently direct the Respondents to close the sewerage tank dug on the public road in Appaiahpalem Village and to demolish the unauthorized building constructed by Respondent Nos. 9 and 10 by taking disciplinary action against Respondent Nos. 4 to 7.

AND WHEREAS the High Court upon perusing the petition and affidavit filed herein and upon hearing the arguments of Sri V R Reddy Kovvuri, Advocate for the

Petitioner, GP for Panchayat Raj for Respondent Nos.1 to 3, Sri V Vinod K Reddy, Standing Counsel for Respondent Nos.4 & 5 and GP for Home for Respondent No.6, directed issue of notice to the Respondent Nos.7 to 10 herein to show cause as to why this WRIT PETITION should not be admitted.

You viz:

1. The Sarpanch, Mallavaripalem East Grama Panchayat, Sathyavedu Mandal, Chittoor District.
2. Sanyasaiah, (Husband of Sarpanch), S/o. Venkata Swamy, R/o. Appaiahpalem Village, Mallavaripalem East Panchayat, Irugulam Post, Sathyavedu Mandal, Chittoor District.
3. Venkateswarlu Naidu, S/o. Sri Karapaiah, R/o. Appaiahpalem Village, Mallavaripalem East Panchayat, Irugulam Post, Sathyavedu Mandal, Chittoor District.
4. Smt. Manjula, W/o. Venkateswarlu Naidu, R/o. Appaiahpalem Village, Mallavaripalem East Panchayat, Irugulam Post, Sathyavedu Mandal, Chittoor 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, within four (4) weeks, on which date the case stands posted for hearing.

The Court made the following;

ORDER:

"Notice before admission.

Learned Government Pleader for Panchayat Raj takes notice for Respondent Nos.1 to 3.

Sri V. Vinod K Reddy, learned Standing Counsel takes notice for Respondent Nos.4 and 5.

Learned Government Pleader for Home takes notice for Respondent No.6.

Issue notice to Respondent Nos.7 to 10.

Learned counsel for the petitioners is permitted to take out personal notice to the Respondent Nos.7 to 10 and file proof of service by next date of hearing.

Post after four (4) weeks to enable the Respondents to file their counter-affidavits."

//TRUE COPY//

**SD/- K.TATA RAO
DEPUTY REGISTRAR**

SECTION OFFICER

FO... ..

To,

1. The Sarpanch, Mallavaripalem East Grama Panchayat, Sathyavedu Mandal, Chittoor District.
2. Sanyasaiah, (Husband of Sarpanch), S/o. Venkata Swamy, R/o. Appaiahpalem Village, Mallavaripalem East Panchayat, Irugulam Post, Sathyavedu Mandal, Chittoor District.
3. Venkateswarlu Naidu, S/o. Sri Karapaiah, R/o. Appaiahpalem Village, Mallavaripalem East Panchayat, Irugulam Post, Sathyavedu Mandal, Chittoor District.
4. Smt. Manjula, W/o. Venkateswarlu Naidu, R/o. Appaiahpalem Village, Mallavaripalem East Panchayat, Irugulam Post, Sathyavedu Mandal, Chittoor District. **(1 to 4 by RPAD- along with a copy of petition and Affidavit)**
5. One CC to Sri. V R Reddy Kovvuri, Advocate [OPUC]
6. One CC to Sri V Vinod K Reddy, Standing Counsel [OPUC]
7. Two CCs to GP for Panchayat Raj, High Court of Andhra Pradesh. [OUT]
8. Two CCs to GP for Home, High Court of Andhra Pradesh. [OUT]
9. One spare copy.

MSB

HIGH COURT

DEV,J

DATED:28/01/2022

ORDER

POST AFTER FOUR (4) WEEKS

NOTICE BEFORE ADMISSION

WP.No.1978 of 2022

