

IN THE HIGH COURT OF ANDHRA PRADESH :: AMARAVATI
(Special Original Jurisdiction)

THURSDAY, THE FIFTEENTH DAY OF FEBRUARY
TWO THOUSAND AND TWENTY FOUR

PRESENT

THE HONOURABLE SRI JUSTICE SUBBA REDDY SATTI



WRIT PETITION NO: 9866 OF 2020

Between:

Shaik Parveen, S/o Subba Reddy Age 57 Address R/o.D.No.1-67 (New D.No.1-84), Madhavarampalle Village, Valmikipuram Mandal, Chittoor District

...Petitioner

AND

1. The State of Andhra Pradesh, Rep. by its Principal Secretary (Home) Department, Secretariat Buildings, Velagapudi, Guntur District.
2. The Superintendent of Police, Chittoor District at Chittoor
3. The SHO, Vayalpad, Chittoor District.
4. The Panchayat Secretary, Madavarampalli, Grampanchayat, Valmikipuram Mandal, Chittoor District.

...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 appropriate Writ, Order or direction more particularly one in the nature of Writ of Mandamus declaring the action of the Respondents No.3 and 4 illegal trying to demolish the toilet attached to the petitioner house mentioned in notice through RCC No.Notice/1/2020, DT13-05-2020 contrary to the Government of India provided financial aid under Swacha Bharat Scheme for construction of Bathroom and Latrine as arbitrary, illegal against Art.19, 21 and 300-A of the Constitution of India.

IA NO: 1 OF 2020

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 No.3 & 4 not to demolish the toilet attached to Petitioner house mentioned notice in RCC No.Notice/1/2020, DT:13-05-2020.

Counsel for the Petitioner : Sri Nagaraju Naguru

Counsel for the Respondents : GP for Home &
Sri G.Venkata Reddy Gajjala

The Court made the following :

IN THE HIGH COURT OF ANDHRA PRADESH AMARAVATI

THE HON'BLE SRI JUSTICE SUBBA REDDY SATTI

WRIT PETITION No.9866 of 2020

Shaik Parveen, W/o Subba Reddy, aged about 57 years, Occ: Coolie, R/o D.No.1-67 (New D.No.1-84), Madhavarampalle Village, Valmikipuram Mandal, Chittoor District.

... Petitioners

Versus

The State of Andhra Pradesh, Rep. by its Principal Secretary (Home) Department, Secretariat Buildings, Velagapudi, Guntur District and three others.

... Respondents

Counsel for the petitioner : Sri Nagaraju Naguru

Counsel for respondents : GP for Home and Sri G. Venkat Reddy, standing counsel

ORDER

Challenging the notice issued by respondent No.4 vide RCC No. Notice/1/2020 dated 13.05.2020, directing the petitioner to remove illegal constructions, the above writ petition is filed.

2. The grievance of the petitioner is that the Panchayat Secretary of respondent No.4 issued notice dated 13.05.2020 pointing out violations said to have been made by the petitioner

by encroaching poramboke land, for which petitioner submitted explanation on 19.05.2020. However, without considering the petitioner's explanation, the authorities are proceeding further. Hence, above writ petition.

3. Heard Sri Nagaraju Naguru, learned counsel for the petitioner and Smt. Hari Priya, learned counsel representing Sri G. Venkata Reddy, learned standing counsel for respondent No.4.

4. This Court, by order dated 11.06.2020, directed respondent Nos.3 and 4 not to demolish the toilet attached to petitioner's house as mentioned in the notice impugned.

5. The interim order granted on 11.06.2020 is subsisting as on today. The explanation dated 19.05.2020 submitted by the petitioner is pending consideration. In view of the same, without going into other disputed questions of fact, this writ petition is disposed of directing the Secretary of respondent No.4 to consider the petitioner's explanation objectively and pass a reasoned order after providing opportunity of hearing to the petitioner.

Till then respondents shall not take any coercive steps in respect of the subject structures/constructions. No costs.

As a sequel, pending miscellaneous petitions, if any, shall stand dismissed.

//TRUE COPY//

**Sd/- M.RAMESH BABU
DEPUTY REGISTRAR**

NB
SECTION OFFICER

To,

1. The Principal Secretary, State of Andhra Pradesh, (Home) Department, Secretariat Buildings, Velagapudi, Guntur District.
2. The Superintendent of Police, Chittoor District at Chittoor
3. The SHO, Vayalpad, Chittoor District.
4. The Panchayat Secretary, Madavarampalli, Grampanchayat, Valmikipuram Mandal, Chittoor District. (Addressee nos.1 to 4 by RPAD)
5. One CC to Sri Nagaraju Naguru, Advocate [OPUC]
6. One CC to Sri Venkata Reddy Gajjala, Standing Counsel [OPUC]
7. Two CCs to GP for Home, High Court of Andhra Pradesh. [OUT]
8. Two CCs to GP for Panchayat Raj and Rural Development, High Court of Andhra Pradesh. [OUT]
9. **Two CD Copies**

CVSS

HIGH COURT

DATED:15/02/2024

ORDER

WP.No.9866 of 2020



**DISPOSING THE W.P.
WITHOUT COSTS**