

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

TUESDAY ,THE SEVENTH DAY OF JULY
TWO THOUSAND AND TWENTY

:PRESENT:
THE HONOURABLE SRI JUSTICE M.GANGA RAO



WRIT PETITION NO: 10946 OF 2020

Between:

1. Mannasamudram Vasaiah, S/o Late M. Subbaiah
2. V. Vanaja, W/o V. Sathya Narayana Naidu and D/o Late Jalakam Venkata Muni Chetty
3. MandagalaKasthuri, D/o Late M. Krishnaiah and W/o Suryamani Subramanyam.

Petitioner

AND

1. The State of Andhra Pradesh,, Represented by itsPrincipal Secretary to Government(Revenue-Land)4th Block, Ground Floor, Room No.135,A.P Secretariat Office, Velagapudi, Guntur Dist, A.P.
2. The State of Andhra Pradesh, Rep. By its Secretary Department of Land Acquisition A.P Secretariat Office, Velagapudi, Guntur Dist, A.P
3. The District Collector,, Chittoor Andhra Pradesh

Respondents

WHEREAS the Petitioner above named through their Advocate Sreekanth Reddy Ambati 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 Writ, Order or direction more particularly one in the nature of Writ of Mandamus declaring the action of the Respondents in trying to forcibly dispossess the Petitioners from their lands in Sy.No. 616/1/2, 616/1/3, 616/1/4, 616/1/5, 616/1/4 in extents of Ac.1.17 Cents, Ac. 1.02 Cents, Ac 0.50 Cents and Ac. 1.01 cents, Ac.50 cents respectively located in Surappakasam of Renigunta Mandal, Chittoor District, A.P, without due process of law is illegal, arbitrary, violative of principles of Article 14 and 21 and 300-A of the Constitution of India and consequently direct the respondents not dispossess or interfere with the possession and enjoyment of the said lands.

AND WHEREAS the High Court upon perusing the petition and affidavit filed herein and upon hearing the arguments of Sri Sreekanth Reddy Ambati, Advocate for the Petitioners, directed issue of notice to the Respondents herein to show cause as to why this WRIT PETITION should not be admitted.

You viz:

1. The Principal Secretary (Revenue-Land), State of Andhra Pradesh, 4th Block, Ground Floor, Room No.135,A.P Secretariat Office, Velagapudi, Guntur District A.P.
2. The Secretary Department of Land Acquisition, State of Andhra Pradesh A.P Secretariat Office, Velagapudi, Guntur Dist, A.P
3. The District Collector,, Chittoor Andhra Pradesh

are directed to show cause either appearing in person or through an Advocate, as to why in the circumstances set out in the petition and affidavit filed therewith (copy enclosed) this WRIT PETITION should not be admitted.

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 not to forcibly dispossess the Petitioners from their lands in Sy.No. 616/1/2, 616/1/3, 616/1/4, 616/1/5, 616/1/4 in extents of Ac.1.17 Cents, Ac. 1.02 Cents, Ac 0.50 Cents and Ac. 1.01 cents, Ac.50 cents respectively located in Surappakasam of Renigunta Mandal, Chittoor District, A.P., pending disposal of WP No. 10946 of 2020, on the file of the High Court.

The Court made the following: ORDER

Notice before admission.

Petitioner No.1 claims to have been granted DKT patta in respect of land admeasuring Ac.1.17 cents in Sy.No.616/1/2 and Ac.1.02 cents in Sy.No.616/1/3; petitioner No.2 claims to have been granted DKT patta in respect of land admeasuring Ac.0.50 cents in Sy.No.616/1/4 and Ac.1.01 cent in Sy.No.616/1/5; and petitioner No.3 claims to have been granted DKT patta in respect of land admeasuring Ac.0.50 cents in Sy.No.616/1/4, Surapakasam Village, Renigunta Mandal, Chittoor District. They all claim to be in possession of the subject lands and are raising crops thereat. Their grievance is that, respondent – authorities came to the subject lands, attempted to remove fencing and tried to dispossess them therefrom to grant house site pattas to landless poor and left the vicinity of the subject land stating that, by 08.07.2020, they would take over possession of the subject lands. Hence the writ petition.

Learned counsel for the petitioners submits that the action of respondent – authorities in trying to dispossess the petitioners from the subject lands without issuing any notice is illegal and arbitrary.

Learned Government Pleader for Revenue seeks further time to get instructions.

In the facts and circumstances of the case, and having perused the record, this Court is *prima facie* satisfied that petitioners have shown sufficient cause for grant of interim direction.

Accordingly, there shall be interim direction to the respondents not to dispossess the petitioners from the lands in Sy.Nos.616/1/2, 616/1/3; 616/1/4, 616/1/5 and 616/1/4, admeasuring Acs.1.17 cents,

Ac.1.02 cents, Ac.0.50 cents, Ac.1.01 cent and Ac.0.50 cents respectively
in Surapakasam Village, Renigunta Mandal, Chittoor District.

SD/- M. SURYANADHA REDDY
ASSISTANT REGISTRAR

//TRUE COPY//


For ASSISTANT REGISTRAR

To

1. The Principal Secretary (Revenue-Land), State of Andhra Pradesh, 4th Block,
Ground Floor, Room No.135,A.P Secretariat Office, Velagapudi, Guntur District
A.P.
2. The Secretary Department of Land Acquisition, State of Andhra Pradesh A.P
Secretariat Office, Velagapudi, Guntur Dist, A.P
3. The District Collector,, Chittoor Andhra Pradesh
(1 to 3 by RPAD- along with a copy of petition and affidavit)
4. One CC to Sri Sreekanth Reddy Ambati, Advocate [OPUC]
- 5.. Two CCs to GP for Revenue ,High Court of Andhra Pradesh. [OUT]
6. One spare copy

TVR

HIGH COURT

MGRJ

DATED:07/07/2020

NOTICE BEFORE ADMISSION

WP.No.10946 of 2020

DIRECTION

