

[3331]

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

FRIDAY, THE TENTH DAY OF MAY
TWO THOUSAND AND TWENTY FOUR

:PRESENT:

THE HONOURABLE SRI JUSTICE SUBBA REDDY SATTI
WRIT PETITION NO: 11458 OF 2024



Between:

P. Srinivasulu Naidu, S/o. P. Errapa Naidu Aged 80 years, R/o 19-9-1/4,
Kakathiya Nagar, Tirupati (Urban), Tirumala, Tirupati District

Petitioner

AND

1. The State of Andhra Pradesh, Represented by its Principal Secretary Revenue Department, A.P.Secretariat, Amaravathi, Guntur District.
2. The District Collector, Tirupati District at Tirupati
3. The Joint Collector, Tirupati District at Tirupati
4. The Revenue Divisional Officer, Tirupati District
5. Thasildhar, Tirupati Rural Mandal, Tirupati District. .
6. P. Madhava Naidu, S/o. Late Yerrappa Naidu Aged about 77 years, R/o. D.No. 906/E, Korlagunta, Tirupati, Chittoor District
7. Pallinti Nirmala, W/o. Pallinti Madhava Naidu Aged about 76 years, R/o. D.No. 906/E, Korlagunta, Tirupati, Chittoor District.
8. N. Govindaswamy Naidu, S/o. N. Chengalraya Naidu Aged about 70 years, R/o. D.No. 1-60/2, Sreenivasa Puram, Sreenivasa Puram Grama Panchayat Tirupati (Rural), Tirumala, Tirupati District

Respondents

WHEREAS the Petitioner above named through his Advocate Sri P. Jagadish Chandra Prasad, 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 a writ order or

direction more particularly one in the nature of Writ of Mandamus declaring the action of the respondents no. 1 to 5 in trying to sub divide or alter the Sy.No. 242/2 (Old Survey No. 242) of Tiruchanur Village, Tirupati (Rural) Mandal, Tirupati District and trying to enter the names of respondents without issuing any notice nor conducting any enquiry as illegal, arbitrary, unconstitutional, violative of principles of natural justice and contrary to the provisions of A.P. Rights in Land and Pattadar Passbooks Act, 1971 and the Rules thereon besides being violative of articles 14, 21 and 300(A) of the constitution of India and consequently direct the respondents not to disturb the peaceful possession of the petitioner in the subject property and not to change or implement any name/corrections in the revenue records for plots bearing number 342, 343, 344, 346 to 352 and 407 to 411 situated in Sy.No. 242/2 (old Sy.No.242) of Tiruchanur Village, Tirupati (Rural) Mandal, Tirupati District belonging to the petitioner;

AND WHEREAS the High Court upon perusing the petition and affidavit filed herein and upon hearing the arguments of Sri P. Jagadish Chandra, PRASAD Advocate for the Petitioner, learned GP FOR REVENUE for respondent Nos.1 to 5 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 Department, A.P.Secretariat, Amaravathi, Guntur District, State of Andhra Pradesh.
2. The District Collector, Tirupati District at Tirupati
3. The Joint Collector, Tirupati District at Tirupati
4. The Revenue Divisional Officer, Tirupati District
5. Thasildhar, Tirupati Rural Mandal, Tirupati District. .
6. P. Madhava Naidu, S/o. LateYerrappa Naidu Aged about 77 years, R/o. D.No. 906/E, Korlagunta, Tirupati, Chittoor District

7. Pallinti Nirmala, W/o. Pallinti Madhava Naidu Aged about 76 years, R/o. D.No. 906/E, Korlagunta, Tirupati, Chittoor District.
8. N. Govindaswamy Naidu, S/o. N. Chengalraya Naidu Aged about 70 years, R/o. D.No. 1-60/2, Sreenivasa Puram, Sreenivasa Puram Grama Panchayat Tirupati (Rural), Tirumala, Tirupati 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.

IA NO: 1 OF 2024

Petition under Section 151 CPC is filed praying that in the circumstances stated in the grounds filed in support of the petition, the High Court may be pleased to direct the respondents not to make any changes or sub divisions to the schedule property situated in plots bearing number 342, 343, 344, 346 to 352 and 407 to 411 situated in Sy.No. 242/2 (old Sy.No.242) of Tiruchanur Village, Tirupati (Rural) Mandal, Tirupati District, pending disposal of WP No. 11458 of 2024, on the file of the High Court.

The Court made the following ORDER:

"Notice before admission.

Learned Government Pleader for Revenue takes notice on behalf of respondent Nos.1 to 5;

Learned counsel for the petitioner is permitted to take out personal notice to respondent Nos.6 to 8 by RPAD and file proof of service in the Registry.

Heard.

The grievance of the petitioner is that the 4th respondent is trying to create sub-division in respect of Plot Nos.342, 343, 344, 346 to 352 and 407 to 411 in Sy.No.242/2 (old Sy.No.242) of Tiruchanur Village, Tirupati (Rural) Mandal, Tirupati District belonged to the petitioner without issuing notice to the petitioner.

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

List the matter immediately after Summer Vacation-2024.

In the meantime, in the facts and circumstances, the respondent Nos.3 to 5 shall not change or make sub-division in respect of the petitioner's plots, referred to supra in Sy.No.242/2 of Tiruchanur Village, Tirupati (Rural) Mandal, Tirupati District, without following due process of law. "

Sd/- K. SRINIVASA RAJU
ASSISTANT REGISTRAR

//TRUE COPY//


For ASSISTANT REGISTRAR

To,

1. The Principal Secretary Revenue Department, A.P.Secretariat, Amaravathi, Guntur District, State of Andhra Pradesh.
2. The District Collector, Tirupati District at Tirupati
3. The Joint Collector, Tirupati District at Tirupati
4. The Revenue Divisional Officer, Tirupati District
5. Thasildhar, Tirupati Rural Mandal, Tirupati District. .
6. P. Madhava Naidu, S/o. LateYerrappa Naidu Aged about 77 years, R/o. D.No. 906/E, Korlagunta, Tirupati, Chittoor District
7. Pallinti Nirmala, W/o. Pallinti Madhava Naidu Aged about 76 years, R/o.D.No. 906/E, Korlagunta, Tirupati, Chittoor District.
8. N. Govindaswamy Naidu, S/o. N. Chengalraya Naidu Aged about 70 years, R/o. D.No. 1-60/2, Sreenivasa Puram, Sreenivasa Puram Grama Panchayat Tirupati (Rural), Tirumala, Tirupati District

(Addressee Nos. 1 to 8 by RPAD- along with a copy of petition and affidavit)

9. One CC to SRI. P JAGADISH CHANDRA PRASAD Advocate
[OPUC]

10. Two CCs to GP FOR REVENUE, High Court of Andhra Pradesh.
[OUT]

11. One spare copy

KJ

HIGH COURT

SRS,J

DATED:10/05/2024

LIST THE MATTER AFTER SUMMER VACATION, 2024

NOTICE BEFORE ADMISSION

WP.No.11458 of 2024

DIRECTION

