

IN THE HIGH COURT OF ANDHRA PRADESH AT AMARAVATI
(SPECIAL ORIGINAL JURISDICTION)
TUESDAY, THE NINTH DAY OF MAY
TWO THOUSAND AND TWENTY THREE

:PRESENT:

THE HONOURABLE SRI JUSTICE R RAGHUNANDAN RAO
WRIT PETITION NO: 12404 OF 2023



Between:

Karri Pushpa, S/o. Karri Demullu, Aged 30 years, Occ. Sarpanch, R/o. H.No. 1-99-1, Nagayyapeta Village, Devarapalli Mandal, Anakapalli District.

Petitioner

AND

1. The State of Andhra Pradesh, Represented by its Principal Secretary, Panchayat Raj Department, Secretariat Buildings, Velagapudi, Thullur Mandal, Amaravathi, Guntur District.
2. The District Collector, Anakapalli District, Anakapalli.
3. The District Panchayat Officer, Anakapalli District, Anakapalli.
4. The Divisional Panchayat Officer, Anakapalli Division, Anakapalli, Anakapalli District.
5. The Tahsildar, Devarapalli Mandal, Anakapalli District.
6. The Mandal Parishad Development Officer (MPDO), Devarapalli Mandal, Anakapalli District.
7. The Extension Officer (PR & RD), Devarapalli Mandal, Anakapalli District.
8. The Gram Panchayat, Nagayyapeta, Rep. by its Secretary, Nagayyapeta Village, Devarapalli Mandal, Anakapalli District.
9. Jagarapu Naidu, S/o. Late Rajababu, Nagayyapeta Village, Devarapalli Mandal, Anakapalli 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 a writ, order or direction, more particularly, one in the nature of WRIT OF MANDAMUS declaring the inaction of the Respondents authorities intaking steps to stop the illegal constructions of the 9th Respondent in Gram Panchayat land in R.S.No. 384 to an extent of Ac.0-05 cents situated at Nagayyapeta Village, Devarapalli Mandal, Anakapalli District and removing the illegal structures therein as illegal and constitutional and consequently direct the respondent authorities to remove the structures of any kind in the Gram Panchayat land in R.S.No. 384 to an extent of Ac.0-05 cents situated at Nagayyapeta Village, Devarapalli Mandal, Anakapalli District while initiating proceedings against the authorities concerned who failed to take any action in spite of representations made to them in this regard.

IA NO: 1 OF 2023

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 Respondent authorities to take steps to stop all further construction/development activity of any kind at R.S.No. 384 to an extent of Ac.0-05 cents situated at Nagayyapeta Village, Devarapalli Mandal, Anakapalli District by 9th Respondent by sealing the premises, pending disposal of WP 12404 of 2023, 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 RAMBABU KOPPINEEDI Advocate for the Petitioner and of GP FOR PANCHAYAT RAJ for the Respondent Nos.1 & 3, GP FOR REVENUE for Respondent Nos.2 & 5, Sri N. Sri Hari, SC for Respondent Nos.6 & 8, the Court made the following

ORDER:

"The learned counsel for the petitioner is permitted to take out personal notice to the 9th respondent by registered post with acknowledgment due and file proof of service by the next date of hearing.

Post on 15.06.2023.

In the meanwhile, the 8th respondent shall file a report as to whether any construction are being made by the 9th respondent in violation of the permission obtained by him and steps are being taken by the 8th respondent to stop any such violation."

Sd/- K. KASIRAO ACHARI
ASSISTANT REGISTRAR

//TRUE COPY//

F SECTION OFFICER

To,

1. The Principal Secretary, Panchayat Raj Department, State of Andhra Pradesh, Secretariat Buildings, Velagapudi, Thullur Mandal, Amaravathi, Guntur District. (by RPAD)
2. The District Collector, Anakapalli District, Anakapalli. (by RPAD)
3. The District Panchayat Officer, Anakapalli District, Anakapalli. (by RPAD)
4. The Divisional Panchayat Officer, Anakapalli Division, Anakapalli, Anakapalli District. (by RPAD)
5. The Tahsildar, Devarapalli Mandal, Anakapalli District. (by RPAD)
6. The Mandal Parishad Development Officer (MPDO), Devarapalli Mandal, Anakapalli District. (by RPAD)
7. The Extension Officer (PR & RD), Devarapalli Mandal, Anakapalli District. (by RPAD)
8. The Gram Panchayat, Nagayyapeta, Rep. by its Secretary, Nagayyapeta Village, Devarapalli Mandal, Anakapalli District. (by RPAD) *(to file a report)*
9. Jagarapu Naidu, S/o. Late Rajababu, Nagayyapeta Village, Devarapalli Mandal, Anakapalli District. (by RPAD)
10. One CC to SRI. RAMBABU KOPPINEEDI Advocate [OPUC] ✓
11. One CC to SRI. N SRIHARI, STANDING COUNSEL [OPUC] ✓
12. Two CCs to GP FOR PANCHAYAT RAJ RURAL DEV, High Court of Andhra Pradesh. [OUT] ✓
13. Two CCs to GP FOR REVENUE, High Court of Andhra Pradesh. [OUT] ✓
14. One spare copy

npc



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