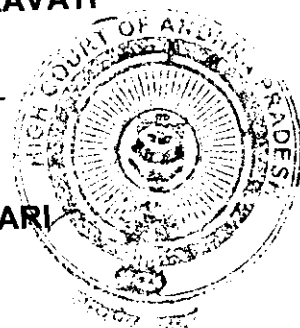


IN THE HIGH COURT OF ANDHRA PRADESH AT AMARAVATI
(SPECIAL ORIGINAL JURISDICTION)

THURSDAY, THE EIGHTEENTH DAY OF AUGUST
TWO THOUSAND AND TWENTY TWO

:PRESENT:

THE HONOURABLE SRI JUSTICE RAVI NATH TILHARI



WRIT PETITION NO: 23314 OF 2022

Between:

Ongole Adamu, S/o.Late Ongole Papaiah, Aged about 50 years, R/o.H.No.16-977, Masapeta, Kadapa Town, YSR Kadapa District

...Petitioner

AND

1. The State of Andhra Pradesh, Rep by its Principal Secretary, Revenue Department, Secretariat, Velagapudi, Amaravathi, Guntur District.
2. The District Collector, Kadapa, YSR Kadapa District.
3. The Tahasildar, Chinna Chowk Mandal, Kadapa, YSR Kadapa District.
4. The Kadapa Municipal Corporation, Kadapa, YSR Kadapa District Rep by its Commissioner.

...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 to declare the action of the Respondents No. 2 to 4 in intending to demolish the house of the Petitioner bearing No.38/ 169-2-5-3, Arundati Nagar, Ward No.38, Chinna Chowk, Kadapa, YSR Kadapa District without following due process of law as arbitrary, illegal, violation of principles of natural justice and also violation of Articles 14, 19, 21 & 300-A of Constitution of India and consequently direct the Respondents No.2 to 4 not to demolish the house of the Petitioner without following due process of law in the interest of justice.

IA NO: 1 OF 2022 —

Petition under Section 151 CPC praying that in the circumstances stated in the affidavit filed in support of the writ petition, the High Court may be pleased to direct the Respondents No.2 to 4 not to demolish the house of the Petitioner bearing No.38/169-2-5-3, Arundati Nagar, Ward No.38, Chinna Chowk, Kadapa, YSR Kadapa District without following due process of law, pending disposal of WP 23314 of 2022, 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 P Nagendra Reddy, Advocate for the Petitioner, GP for Revenue for the Respondent Nos.1 to 3 and GP for Municipal Administration for Respondent No.4, the Court made the following: —

ORDER:

“Sri P.Nagendra Reddy, learned counsel for the petitioner submits that the petitioner is the owner of the house bearing No.38/169-2-5-3 and the possession certificate has also been issued by the Tahsildar dated 20.05.2008 and the petitioner is residing in the house. The respondent No.3 and their staff came and marked the portion width about 30 feet and also marked the land and directed all the house owners within the marked portion including the petitioner to remove their structures. He submits that till date neither any notice has been given nor the said property has been acquired.

Learned counsel for the respondents prays for two (02) weeks to obtain instructions or to file counter affidavit.

List on 01.09.2022.

Till the next date of listing, no coercive action shall be taken for demolition of the petitioner's house, except by following due process of law."

Sd/- M.RAMESH BABU
DEPUTY REGISTRAR

//TRUE COPY//

Fo

SECTION OFFICER

To,

1. The Principal Secretary, Revenue Department, State of Andhra Pradesh, Secretariat, Velagapudi, Amaravathi, Guntur District.
2. The District Collector, Kadapa, YSR Kadapa District.
3. The Tahasildar, Chinna Chowk Mandal, Kadapa, YSR Kadapa District.
4. The Commissioner, Kadapa Municipal Corporation, Kadapa, YSR Kadapa District Rep by its. (1 to 4 by RPAD)
5. One CC to Sri. P Nagendra Reddy Advocate [OPUC] ✓
6. Two CCs to GP for Revenue, High Court of Andhra Pradesh. [OUT]
7. Two CCs to GP for Municipal Administration, High Court of Andhra Pradesh. [OUT] ✓
8. One spare copy.

MSB

HIGH COURT

RNT,J

DATED:18/08/2022

ORDER

LIST ON 01.09.2022

WP.No.23314 of 2022

INTERIM DIRECTION

30 AUG 2022