



IN THE HIGH COURT OF ANDHRA PRADESH AT AMARAVATI
FRIDAY, THE FIRST DAY OF SEPTEMBER
TWO THOUSAND AND TWENTY THREE

:PRESENT:

THE HONOURABLE SRI JUSTICE RAVI CHEEMALAPATI

IA No. 1 OF 2023

IN

WP NO: 22989 OF 2023

Between:

G. Krishnaiah, S/o.G.Venkata Swamy, R/o.D.No.12-567, Bogga Street, Reniguta,
Tirupathi, Tirupathi District

...Petitioner/Petitioner

AND

1. The Renigunta Gram Panchayat, Reniguta, Tirupathi District Rep by its Panchayat Secretary.
2. The State of Andhra Pradesh, Rep. by its Principal Secretary, Panchayat Raj Department, Secretariat, Velagapudi, Amaravathi, Guntur District.

...Respondents/Respondents

Counsel for the Petitioner :M/s C JHANSI RANI

Counsel for the Respondent No.1 :SRI G.VENKAT REDDY

Counsel for the Respondent No.2 :GP FOR PANCHAYAT RAJ

Petition under Section 151 of CPC is filed 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 No.1 not to dispossess the Petitioner from the house Plot extent 133.33 Sq.Yards situated in Sy.No.803, Ward No.1, Panchayali Nagar, Renigunta Village and Mandal, Tirupathi District by suspending the impugned proceedings in Rc.No.4/2023 dated 26-08-2023 issued by the 1st Respondent, Pending disposal of WP No. 22989 of 2023, on the file of the High Court.

The court while directing issue of notice to the Respondents herein to show cause as to why this application should not be complied with, made the following order.(The receipt of this order will be deemed to be the receipt of notice in the case).

ORDER:

1. Heard.

2. Learned counsel for the petitioner submitted that, the respondent authorities have issued proceedings dated 06.04.2019 revoking the building permission of the petitioner, aggrieved by the same, the petitioner got filed W.P.No.12061/2019 wherein this Court has set aside the said proceedings and further directed to take action in accordance with law. In spite of the said direction, the respondent authorities have once again issued very same

proceedings dated 26.08.2023 without adhering to the directions of this Court which is unsustainable both on facts and law. As such, prayed to pass appropriate orders in that regard.

Perused the record.

When the respondent authorities have issued proceedings on 06.04.2019 revoking the building permission of the petitioner, this Court has passed orders in W.P.No.12061/2019 by setting aside the said proceedings and thereby directed the concerned Gram Panchayat to pass orders in accordance with law. Pursuant to the same, the respondent authority has passed impugned proceedings dated 26.08.2023. A perusal of the impugned proceedings dated 26.08.2023 shows nothing, except referring to the Court direction and it does not even show that, any opportunity of personal hearing was provided to the petitioner nor called for explanation. As rightly contended by the learned counsel for the petitioner, the orders are unsustainable, as such, this court is inclined to pass the following order:

The respondent authorities are directed not to take any coercive steps against petitioner's property pending further orders.

Sd/- K. KASIRAO ACHARI
ASSISTANT REGISTRAR

SECTION OFFICER

//TRUE COPY//

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To,

1. The Panchayat Secretary, Renigunta Gram Panchayat, Reniguta, Tirupathi District
2. The Principal Secretary, State of Andhra Pradesh, Panchayat Raj Department, Secretariat, Velagapudi, Amaravathi, Guntur District.(
Addressees 1 & 2 By RPAD)
3. One CC to M/s C JHANSI RANI Advocate [OPUC]
4. One CC to SRI. G.VENKAT REDDY, Standing Counsel [OPUC]
5. Two CCs to GP FOR PANCHAYAT RAJ, High Court of Andhra Pradesh[OUT]
6. One spare copy

PSR

HIGH COURT

RC,J

DATED:01/09/2023

NOTE: POST ON 15.09.2023 FOR FILING COUNTER.

ORDER

**IA No. 1 OF 2023
IN
WP NO: 22989 OF 2023**

INTERIM DIRECTION

