

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

TUESDAY, THE FIFTEENTH DAY OF OCTOBER,  
TWO THOUSAND AND TWENTY FOUR

:PRESENT:

THE HONOURABLE SRI JUSTICE GANNAMANENI RAMAKRISHNA PRASAD  
WRIT PETITION NO: 23265 OF 2024



Between:

1. Smt. Kaladi Ganga Bhavani, W/o Kaladi Visweswararao, R/o D. No. 67-11-2/3A, ITI College Baek side, Lal Bahadur Nagar, Engineering College, Kakinada District, Erstwhile East Godavari District, Andhra Pradesh.
2. Smt. Sundaraneedi Lakshmi, W/o Ramakrishna, aged 59 years, R/o D. No. 67-11-2/3A Lal Bahadur Nagar, Engineering College, Kakinada District, Erstwhile East Godavari District, Andhra Pradesh.

...Petitioners

AND

1. The State of Andhra Pradesh, Rep by its Principal Secretary, Revenue Department Secretariat Buildings, Velagapudi Guntur District, Andhra Pradesh
2. The District Collector, Ramarao Peta, Kakinada Mandal, Kakinada District, Andhra Pradesh.
3. The Tahslidar, Kakinada Mandal, Kakinada District, Andhra Pradesh.
4. The Station House Officer, II Town Police Station Suiyaraopeta, Kakinada Kakinada District, Andhra Pradesh.
5. Kakinada Municipal Corporation, Rep by its Commissioner Kakinada, Kakinada District, Andhra Pradesh -533001

...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 an appropriate writ more in the nature of Writ of Mandamus declaring the action of the Respondents more particularly, the Respondent No. 3 in issuing the impugned show cause notice vide Ref.B/238/2024, Dated 04-10-2024, U/s 7 of Andhra Pradesh Land Encroachment Act, 1905, alleging that the Petitioners encroached the Government land at survey No. 144/1, Ramanayyapeta, Kakinada, despite knowing the fact that the Petitioners are residing at 144/4P by virtue of the possession patta granted by the 3rd Respondent vide Ref.B/740/2019, Dated 07-12-2019, and thereby trying to dispossess the Petitioners with the aid of Respondents 4 and 5 from their lands. despite knowing the fact that the explanation dated 09.10.2024 submitted by the Petitioners to the 2nd Respondent, District Collector is under active consideration and coercing the Petitioners to vacate the same as being arbitrary, illegal and violative of Articles 14, 19 and 300-A of the Constitution of India and in contravention of the principles of natural justice and consequently set aside the impugned show cause notice.

**IA NO: 1 OF 2024**

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 Nos.4 and 5 not to dispossess the Petitioners from their property forming part of Survey No.144/4P, admeasuring about 40 sq. yards each, situated at Ramanayyapeta, L.B. Nagar, Kakinada (District), Andhra Pradesh State, pending disposal of WP.No.23265 of 2024, on the file of the High Court.

**IA NO: 2 OF 2024**

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 suspend the impugned show cause notice issued by the 3<sup>rd</sup> Respondent vide Ref.B/238/2024, Dated 04-10-2024, pending disposal of WP.No.23265 of 2024, 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 Ms MARELLA SRILAKSHMI Advocate for the Petitioners and of GP for Revenue for Respondent Nos.1 to 3, GP for Home for Respondent No.4 and of Sri J Dilip Kumar, Standing Counsel for Respondent No.5, the Court made the following.

**ORDER:**

“Heard Sri M. Sri Vijay, learned Counsel appearing on behalf of Ms. Marella Srilakshmi, learned Counsel for the Writ Petitioners and Sri Y. Balaji, learned Government Pleader for Revenue and Home, assisted by Sri K. Arjun Chowdary, learned Assistant Government Pleader and Sri J. Dileep Kumar, learned Standing Counsel for Respondent No.5.

2. List the matter on 22.10.2024 to enable Sri Y. Balaji, learned Government Pleader for Revenue and Home to obtain Written Instructions.

3. There shall be a direction to all the parties to maintain *Status-quo* obtaining as on today till the next listing. ”

SD/- A. VIJAYA BABU  
ASSISTANT REGISTRAR  
*ch*  
SECTION OFFICER

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For r.

To,

1. The State of Andhra Pradesh, Rep by its Principal Secretary, Revenue Department Secretariat Buildings, Velagapudi Guntur District, Andhra Pradesh
2. The District Collector, Ramarao Peta, Kakinada Mandal, Kakinada District, Andhra Pradesh.

3. The Tahslidar, Kakinada Mandal, Kakinada District, Andhra Pradesh.
4. The Station House Officer, II Town Police Station Suiyaraopeta, Kakinada Kakinada District, Andhra Pradesh.
5. Kakinada Municipal Corporation, Rep by its Commissioner Kakinada, Kakinada District, Andhra Pradesh -533001 (No's 1 to 5 by RPAD)
6. One CC to SRI. MARELLA SRILAKSHMI Advocate [OPUC]
7. Two CCs to GP FOR REVENUE, High Court Of Andhra Pradesh.  
[OUT]
8. Two CCs to GP FOR HOME, High Court Of Andhra Pradesh. [OUT]
9. One CC to Sri J Dilip Kumat, Standing Counsel [OPUC]
10. One spare copy



**HIGH COURT**

**GRKP,J**

**DATED:15/10/2024**

**LIST THE MATTER ON 22.10.2024**

**ORDER**

**WP.No.23265 of 2024**



**STATUS QUO**