

(SHOW CAUSE NOTICE BEFORE ADMISSION)  
IN THE HIGH COURT OF ANDHRA PRADESH AT AMARAVATI  
TUESDAY, THE EIGHTEENTH DAY OF OCTOBER  
TWO THOUSAND AND TWENTY TWO

:PRESENT:

THE HONOURABLE SRI JUSTICE CHEEKATI MANAVENDRANATH ROY  
WRIT PETITION NO: 33929 OF 2022



**Between:**

Janasena Party, A registered Political Party with Election Commission of India, Having its registered office at Plot No.12, Road No.72, Prashasan Nagar, Jubilee Hills, Hyderabad, Telangana- 500033 Rep by its Vice-President, Sri Bongunoori Mahender Reddy.

...PETITIONER

**AND**

1. The State Of Andhra Pradesh, Rep. By its Principal Secretary, Department of Home, Secretariat, Velagapudi, Guntur District.
2. The Director General of Police, State of Andhra Pradesh, Mangalagiri, Amaravati, Andhra Pradesh.
3. The Commissioner of Police, Visakhapatnam City, Visakhapatnam.
4. The Assistant Commissioner of Police, East Sub-Division, Visakhapatnam City.
5. The Station House Officer, Airport P.S., Visakhapatnam.
6. The Central Industrial Security Force, Visakhapatnam Airport I/c, the Asst.Commandant, Office at the Visakhapatnam Airport, Visakhapatnam.
7. Munnangi Dilip Kumar,, S/o Ramesh babu, R/o Flat No.216, Sai Enclave, Vijaya Nagar Palace Layout, Pedawaltair, Visakhapatnam, Andhra Pradesh.

...RESPONDENTS

WHEREAS the Petitioner above named through their Advocate Sri N ASHWANI KUMAR 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 an appropriate writ order or direction more particular in the nature of "Writ of mandamus"

- A. To declare the action of the Respondents herein, more particularly the 5th Respondent in entertaining and registering FIR.No.370 of 2022 dated 15.10.2022 on the file of Airport P.S, Visakhapatnam against the cadre of the Petitioner Political Party and the subsequent illegal detention of the Petitioner party members at various Police Stations within the jurisdictional limits of 3rd Respondent as being illegal, arbitrary highhanded and acting in excess of their powers, without jurisdiction, and in gross violation of Article 22 of the Constitution of India as also violative of Articles 14 and 21 of the Constitution of India and
- B. To declare the action of the 4th Respondent ip issuing Notice dated 16.10.2022 preventing the Petitioner Political Party to organize or take out any processions, rallies, meetings, usage of d Pones or any other congregations in the limits of East Sub-Division, Visakhapatnam City even after obtaining permission as being illegal, arbitrary and in gross violation of Article 19(1)(b) the Constitution of India and
- C. Consequently to call for records and quash the FIR.No.370 of 2022 dated 15.10.2022 on the file of Airport P.S, Visakhapatnam, the 5th Respondent

herein as being illegal in nature, arbitrary, and in violation of Art. 19(1)(b) and 21 of the Constitution of India and

- D. To set aside the Notice dated 16.10.2022 issued by the 4th Respondent and be pleased to permit Petitioner Political Party to organize meetings in the city of Visakhapatnam by providing required protection/bandobast;

AND WHEREAS the High Court upon perusing the petition and affidavit filed herein and upon hearing the arguments of Sri N ASHWANI KUMAR Advocate for the Petitioner, 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, Department of Home, Secretariat, Velagapudi, Guntur District, State Of Andhra Pradesh,
2. The Director General of Police, State of Andhra Pradesh, Mangalagiri, Amaravati, Andhra Pradesh.
3. The Commissioner of Police, Visakhapatnam City, Visakhapatnam.
4. The Assistant Commissioner of Police, East Sub-Division, Visakhapatnam City.
5. The Station House Officer, Airport P.S., Visakhapatnam.
6. The Central Industrial Security Force, Visakhapatnam Airport I/c, the Asst.Commandant, Office at the Visakhapatnam Airport, Visakhapatnam.
7. Munnangi Dilip Kumar,, S/o Ramesh babu, R/o Flat No.216, Sai Enclave, Vijaya Nagar Palace Layout, Pedawaltair, Visakhapatnam, Andhra Pradesh.

are directed to show cause on or before 01.11.2022 to which date the case stands posted 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: 4 OF 2022**

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 Notice dated 16.10.2022 issued by the 4th Respondent, by virtue of which, the Petitioner Party is allowed to conduct and organize rally and gathering title as "JanaVani" and pass, pending disposal of WP No. 33929 of 2022, on the file of the High Court.

**IA NO: 3 OF 2022**

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 Respondents herein not to take any coercive steps against the cadre of the Petitioner Political Party and pass, pending disposal of WP No. 33929 of 2022, on the file of the High Court.

**IA NO: 5 OF 2022**

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 No.3 i.e. Commissioner of Police, Visakhapatnam, to provide the necessary support, bandobast and protection to the Petitioner Political Party to conduct 'JanaVani' programme at Visakhapatnam on the next available Sunday and pass, pending disposal of WP No. 33929 of 2022, on the file of the High Court.

**IA NO: 2 OF 2022**

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 grant **stay** of all further proceedings in FIR No.370 of 2022 dated 15.10.2022 on the file of Airport P.S, Visakhapatnam and pass, pending disposal of WP No. 33929 of 2022, on the file of the High Court.

**IA NO: 1 OF 2022**

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 Respondents to forthwith release the illegally detained cadre of Petitioner Political Party and pass, pending disposal of WP No. 33929 of 2022, on the file of the High Court.

**The Court made the following: ORDER**

**“Learned Assistant Government Pleader for Home takes notice for respondents 1 to 5.**

**Learned Deputy Solicitor General takes notice for respondent 6 and requests time to file counter-affidavit.**

**Issue notice to respondent 7.**

**Learned counsel for the petitioner is permitted to take out personal notice to respondent 7 by registered post with acknowledgment due and file proof of service in the Registry.”**

Sd/- P. VINOD KUMAR  
ASSISTANT REGISTRAR

**//TRUE COPY//**

For

**SECTION OFFICER**

To,

1. The Principal Secretary, Department of Home, Secretariat, Velagapudi, Guntur District, State Of Andhra Pradesh,
  2. The Director General of Police, State of Andhra Pradesh, Mangalagiri, Amaravati, Andhra Pradesh.
  3. The Commissioner of Police, Visakhapatnam City, Visakhapatnam.
  4. The Assistant Commissioner of Police, East Sub-Division, Visakhapatnam City.
  5. The Station House Officer, Airport P.S., Visakhapatnam.
  6. The Central Industrial Security Force, Visakhapatnam Airport I/c, the Asst.Commandant, Office at the Visakhapatnam Airport, Visakhapatnam.
  7. Munnangi Dilip Kumar,, S/o Ramesh babu, R/o Flat No.216, Sai Enclave, Vijaya Nagar Palace Layout, Pedawaltair, Visakhapatnam, Andhra Pradesh. (Addresses to Nos. 1 to 7 by RPAD- along with a copy of petition and affidavit)
  8. One CC to SRI. N ASHWANI KUMAR Advocate [OPUC]
  9. Two CCs to GP FOR HOME ,High Court Of Andhra Pradesh. [OUT]
  10. **One spare copy**
- BHB

**HIGH COURT**

**CMR,J**

**DATED: 18/10/2022**

**ORDER**

**NOTE: LIST THE MATTER AFTER TWO WEEKS**

**NOTICE BEFORE ADMISSION**

**WP.No.33929 of 2022**

