

**(SHOW CAUSE NOTICE BEFORE ADMISSION)
IN THE HIGH COURT OF ANDHRA PRADESH :: AMARAVATI**

WEDNESDAY, THE FIFTEENTH DAY OF FEBRUARY
TWO THOUSAND AND TWENTY THREE

: PRESENT:

**THE HONOURABLE SRI JUSTICE K SREENIVASA REDDY
CRIMINAL PETITION NO: 1216 OF 2023**

Between:

1. Sri Pethakamsetti Ramaswamy Naidu, S/o Narasinga Rao, Hindu, aged 62 years, resident of 33-14-269, Allipuram, Visakhapatnam.
2. Lalam Rambabu,, S/o Kondadu, Hindu, 40 years, resident of Bhogapuram village, Atchutapuram Mandal, Anakapalli District.
3. Lalam Pydikonda,, S/o Kondadu, Hindu 39 years, resident of Bhogapuram village, Atchutapuram Mandal, Anakapalli District.
4. Gandhi Srinu,, S/o Appalaswamy, Hindu, 41 years, resident of Bhogapuram village, Atchutapuram Mandal, Anakapalli District.
5. Lalam Ravi,, S/o Rambabu, Hindu, aged 38 years, resident of Bhogapuram village, Atchutapuram Mandal, Anakapalli District.
6. Gandhi Ramu,, S/o Sanyasi, Hindu, aged 35 years, resident of Bhogapuram village, Atchutapuram Mandal, Anakapalli District.
7. Chukka Prasad,, S/o Apparao, Hindu, 37 years, resident of Bhogapuram village, Atchutapuram Mandal, Anakapalli District.
8. Kundrapu Nageswara Rao,, S/o Sannibabu, Hindu, 40 years, resident of Bhogapuram village, Atchutapuram Mandal, Anakapalli District.
9. Kundrapu Sriramamurthy,, S/o Sannibabu, Hindu, 36 years, resident of Bhogapuram village, Atchutapuram Mandal, Anakapalli District.
10. Lalam Venkata Rao,, S/o Ramunaidu, Hindu, 33 years, resident of Bhogapuram village, Atchutapuram Mandal, Anakapalli District.
11. Gandhi Lakshman,, S/o Apparao, Hindu, 34 years, resident of Bhogapuram village, Atchutapuram Mandal, Anakapalli District.
12. Cheepurupalli Ramu,, S/o Sanyasi Rao, Hindu, 38 years, resident of Bhogapuram village, Atchutapuram Mandal, Anakapalli District.
13. Chukka Seshubabu,, S/o Rambabu, Hindu, 35 years, resident of Bhogapuram village, Atchutapuram Mandal, Anakapalli District.
14. Lalam Rambabu,, S/o Demudu, Hindu, 36 years, resident of Bhogapuram village, Atchutapuram Mandal, Anakapalli District.
15. Lalam Ramesh,, S/o Pydanna, Hindu, 39 years, resident of Bhogapuram village, Atchutapuram Mandal, Anakapalli District.
16. Kundrapu Arjuna Rao,, S/o Demudu, Hindu, 33 years, resident of Bhogapuram village, Atchutapuram Mandal, Anakapalli District.
17. Lalam Venkata Ramana,, S/o Sreeramulu, Hindu, 40 years, resident of Bhogapuram village, Atchutapuram Mandal, Anakapalli District.
18. Lalam Krishna,, S/o Rambabu, Hindu, 37 years, resident of Bhogapuram village, Atchutapuram Mandal, Anakapalli District.
19. Kunitila Lakshmana Rao,, S/o Applaswamy, Hindu, 63 years, resident of Madhurawada, Near SRO Office, Visakhapatnam.

Petitioner/"A" Party

AND

1. The State of Andhra Pradesh, repled., by the Public Prosecutor, High Court of AP., Amaravati.
2. Pyla Venkataswamy @ Babu,, S/o late Venkataswamy, Hindu, 62 years, resident of Bhogapuram village, Atchutapuram Mandal, Anakapalli District.
3. Kundrapu Satya,, S/o Ramaswamy, Hindu, 38 years, resident of Bhogapuram village, Atchutapuram Mandal, Anakapalli District.
4. Kundrapu Tata Babu,, S/o Atchanna, Hindu, age not known to the petitioners, but a Major, resident of Bhogapuram village, Atchutapuram Mandal, Anakapalli District.
5. Pyla Gangathalli,, W/o Narasimhanaidu, Hindu, age not known to the petitioners, but a Major, resident of Bhogapuram village, Atchutapuram Mandal, Anakapalli District.
6. Pyla Gopi,, S/o Venkataswamy @ Babu, Hindu, age not known to the petitioners, but a Major, resident of Bhogapuram village, Atchutapuram Mandal, Anakapalli District.
7. Kundrapu Satyavathi,, W/o late Ramaswamy, Hindu, age not known to the petitioners, but a Major, resident of Bhogapuram village, Atchutapuram Mandal, Anakapalli District.
8. Kundrapu Venkata Rao,, S/o Ramaswamy, Hindu, age Not known to the petitioners, but a Major, resident of Bhogapuram village, Atchutapuram Mandal, Anakapalli District.
9. Kundrapu Varalakshmi,, W/o Venkata Rao, Hindu, age P Not known to the petitioners, but a Major, resident of Bhogapuram village, Atchutapuram Mandal, Anakapalli District.
10. Pyla Sanyasi Naidu,, S/o late Narasimha Naidu, Hindu, age not known to the petitioners, but a Major, resident of Bhogapuram village, Atchutapuram Mandal, Anakapalli District.
11. Kundrapu Tatababu,, S/o late Atchanna, Hindu, age not known to the petitioners, but a Major, resident of Bhogapuram village, Atchutapuram Mandal, Anakapalli District.

Respondents/Respondents 2 to 11 being "B" Party

WHEREAS the Petitioner above named through their Advocate SRI V V RAVI PRASAD presented this Petition under Section 482 of Cr.P.C, praying that in the circumstances stated in the grounds filed in support of the Criminal Petition, the High Court may be pleased to call for the records of the Mandal Executive Magistrate and Tahsildar, Atchutapuram, Anakapalli District in (M) Rc.No.01/2022/SA dated 07/02/2023 and quash the same

AND WHEREAS the High Court upon perusing the petition and memorandum of grounds filed herein and upon hearing the arguments of Sri V V RAVI PRASAD Advocate for the Petitioner, and of PUBLIC PROSECUTOR for Respondent No.1, directed issue of notice to the Respondents 2 to 11 herein to show cause as to why this CRIMINAL PETITION should not be admitted.

You viz:

1. Pyla Venkataswamy @ Babu,, S/o late Venkataswamy, Hindu, 62 years, resident of Bhogapuram village, Atchutapuram Mandal, Anakapalli District.

2. Kundrapu Satya,, S/o Ramaswamy, Hindu, 38 years, resident of Bhogapuram village, Atchutapuram Mandal, Anakapalli District.
3. Kundrapu Tata Babu,, S/o Atchanna, Hindu, age not known to the petitioners, but a Major, resident of Bhogapuram village, Atchutapuram Mandal, Anakapalli District.
4. Pyla Gangathalli,, W/o Narasimhanaidu, Hindu, age not known to the petitioners, but a Major, resident of Bhogapuram village, Atchutapuram Mandal, Anakapalli District.
5. Pyla Gopi,, S/o Venkataswamy @ Babu, Hindu, age not known to the petitioners, but a Major, resident of Bhogapuram village, Atchutapuram Mandal, Anakapalli District.
6. Kundrapu Satyavathi,, W/o late Ramaswamy, Hindu, age not known to the petitioners, but a Major, resident of Bhogapuram village, Atchutapuram Mandal, Anakapalli District.
7. Kundrapu Venkata Rao,, S/o Ramaswamy, Hindu, age Not known to the petitioners, but a Major, resident of Bhogapuram village, Atchutapuram Mandal, Anakapalli District.
8. Kundrapu Varalakshmi,, W/o Venkata Rao, Hindu, age P Not known to the petitioners, but a Major, resident of Bhogapuram village, Atchutapuram Mandal, Anakapalli District.
9. Pyla Sanyasi Naidu,, S/o late Narasimha Naidu, Hindu, age not known to the petitioners, but a Major, resident of Bhogapuram village, Atchutapuram Mandal, Anakapalli District.
10. Kundrapu Tatababu,, S/o late Atchanna, Hindu, age not known to the petitioners, but a Major, resident of Bhogapuram village, Atchutapuram Mandal, Anakapalli District.

are directed to show cause either appearing in person or through an Advocate, as to why in the circumstances set out in the petition and the affidavit filed therewith (copy enclosed) this CRIMINAL PETITION should not be admitted, within four weeks

IA NO: 1 OF 2023

Petition under Section 482 of Cr.P.C praying that in the circumstances stated in the affidavit filed in support of the petition, the High Court may be pleased to suspend the operation of the order of the Mandal Executive Magistrate and Tahsildar, Atchutapuram Mandal of the Anakapalli District in (M) Rc.No. 01/2022/SA dated 07/02/2023, pending disposal of CRLP No.1216 of 2023, on the file of the High Court.

The Court made the following:

ORDER:

"Learned Assistant Public Prosecutor takes notice for respondent No.1 and seeks time to get instructions in the matter.

Issue notice to respondent Nos.2 to 11.

Learned counsel for the petitioners is permitted to take out personal notice to respondent Nos.2 to 11 by RPAD and file proof of service in the Registry within a period of three (3) weeks.

In the meanwhile, there shall be interim suspension as prayed for, for a period of six (6) weeks.

List the matter after four (4) weeks."

Sd/- K. SRINIVASA RAJU
ASSISTANT REGISTRAR

BS

//TRUE COPY//

SECTION OFFICER

For

To,

1. Pyla Venkataswamy @ Babu,, S/o late Venkataswamy, Hindu, 62 years, resident of Bhogapuram village, Atchutapuram Mandal, Anakapalli District.
2. Kundrapu Satya,, S/o Ramaswamy, Hindu, 38 years, resident of Bhogapuram village, Atchutapuram Mandal, Anakapalli District.
3. Kundrapu Tata Babu,, S/o Atchanna, Hindu, age not known to the petitioners, but a Major, resident of Bhogapuram village, Atchutapuram Mandal, Anakapalli District.
4. Pyla Gangathalli,, W/o Narasimhanaidu, Hindu, age not known to the petitioners, but a Major, resident of Bhogapuram village, Atchutapuram Mandal, Anakapalli District.
5. Pyla Gopi,, S/o Venkataswamy @ Babu, Hindu, age not known to the petitioners, but a Major, resident of Bhogapuram village, Atchutapuram Mandal, Anakapalli District.
6. Kundrapu Satyavathi,, W/o late Ramaswamy, Hindu, age not known to the petitioners, but a Major, resident of Bhogapuram village, Atchutapuram Mandal, Anakapalli District.
7. Kundrapu Venkata Rao,, S/o Ramaswamy, Hindu, age Not known to the petitioners, but a Major, resident of Bhogapuram village, Atchutapuram Mandal, Anakapalli District.
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9. Pyla Sanyasi Naidu,, S/o late Narasimha Naidu, Hindu, age not known to the petitioners, but a Major, resident of Bhogapuram village, Atchutapuram Mandal, Anakapalli District.
10. Kundrapu Tatababu,, S/o late Atchanna, Hindu, age not known to the petitioners, but a Major, resident of Bhogapuram village, Atchutapuram Mandal, Anakapalli District. (Addresses 1 to 10 by RPAD- along with a copy of petition and memorandum of grounds)
11. One CC to SRI V V RAVI PRASAD Advocate [OPUC]
12. Two CCs to PUBLIC PROSECUTOR, High Court of AP [OUT]
13. One spare copy

HIGH COURT

SRKJ

DATED:15/02/2023

LIST AFTER FOUR WEEKS

NOTICE BEFORE ADMISSION

CRLP.No.1216 of 2023

INTERIM STAY

