



**(SHOW CAUSE NOTICE BEFORE ADMISSION)
IN THE HIGH COURT OF ANDHRA PRADESH AT AMARAVATI
(SPECIAL ORIGINAL JURISDICTION)**

THURSDAY, THE TWELFTH DAY OF JANUARY
TWO THOUSAND AND TWENTY THREE

**:PRESENT:
THE HONOURABLE SRI JUSTICE BATTU DEVANAND
WRIT PETITION NO: 1031 OF 2023**

Between:

1. Yatham Pedda Kasi Reddy, S/o. Veeraiah, aged about 41 years, Occ. Agriculture, Gobburu Village, Peddaraveedu Mandal, Prakasam District.
2. Darsinala Adeseshu, S/o. Kotaiah, Aged about 36 years R/o. Gobburu Village, Peddaraveedu Mandal, Prakasam District.
3. Sunkesula Pedda Kotaiah, S/o. Musalaiah, Aged about 42 years, Occ. agriculture, Gobburu Village, Peddaraveedu Mandal, Prakasam District.
4. Golamari Peddireddy, S/o. Venkata Subbaiah Aged about 40 years, Occ. Agriculture, H. No. 1-279, Gobbuu, Gobburu Village, Peddaraveedu Mandal, Prakasam District.
5. Smt. Darsanala Vijayalakshmi, W/o. Gopi Aged about 25 years, Gobburu Village, Peddaraveedu Mandal, Prakasam District.

Petitioners

AND

1. The State Of Andhra Pradesh, rep. by its Principal Secretary, Panchayat Raj and Rural Development Department, Secretariat, Velagapudi Guntur District.
2. The Commissioner, Panchayat Raj and Rural Development, PVS Icon, Tadepalli, Guntur District.
3. The District Collector, Prakasam District, Ongole.
4. The Chief Executive Officer, Zilla Parishad, Prakasam District at Ongole.
5. The Secretary, Parents - Teacher Committee, Zilla Parishad School, Gobburu Village, Peddaraveedu Mandal, Prakasam District
6. The District Educational Officer, Ongole, Prakasam District.
7. The Zilla Parishad High School, Rep. By its Head Master, Gobburu Village, Peddaraveedu Mandal, Prakasam District

Respondents

WHEREAS the Petitioners above named through their Advocate SMT KOPPARTHI SUMATHI 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 a Writ, Order or direction more particularly one in the nature of Writ of Mandamus declaring the inaction of the Respondents in constructing Zilla Parishad High school in the existing M.P.P. Elementary School ignoring the original Resolution adopted by the members of the 5th respondent - Committee and recommendations of the 4th respondent, pursuant to the land donated by the Villagers in an extent of Ac. 1.48 cents in Sy. No. 233/3, 233/4 and 230 at Gobburu Village, Peddaraveedu Mandal, Prakasam District, with a view to have a spacious class-rooms and other amenities for the students pursuing the studies as being illegal and arbitrary, unconstitutional violation of Art. 14, 19(1) (g)

and 300- A of the Constitution of India and consequently direct the respondents not to proceed with the constructing Zilla Parishad High school in the existing M.P.P. Elementary School ignoring the original Resolution adopted by the members of the 5th respondent - Committee and recommendations of the 4th respondent pursuant to the land donated by the Villagers in an extent of Ac. 1.48 cents in Sy. No. 233/3, 233/4 and 230 at Gobburu Village, Peddaraveedu Mandal, Prakasam District, with a view to have a spacious class-rooms and other amenities for the students pursuing the studies.

AND WHEREAS the High Court upon perusing the petition and affidavit filed herein and upon hearing the arguments of SMT KOPPARTHI SUMATHI Advocate for the Petitioners, Government Pleader for Panchayat Raj for the Respondent Nos. 1 to 3, Sri G.Venkata Reddy, learned standing counsel for the Respondent No.4, Government Pleader for School Education for the Respondent No.6, directed issue of notice to the Respondent Nos. 5 & 7 herein to show cause as to why this WRIT PETITION should not be admitted.

You viz:

1. The Secretary, Parents - Teacher Committee, Zilla Parishad School, Gobburu Village, Peddaraveedu Mandal, Prakasam District
2. The Head Master, Zilla Parishad High School, Gobburu Village, Peddaraveedu Mandal, Prakasam District

are be and hereby 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 WRIT PETITION should not be admitted on or before 02.02.2023, on which date the case stands posted for hearing.

The Court made the following order :

“ Notice before admission.

Learned Government Pleader for Panchayat Raj takes notice on behalf of respondent Nos. 1 to 3.

Sri G.Venkata Reddy, learned standing counsel for Zilla Parishad, takes notice on behalf of respondent No.4.

Learned Government Pleader for School Education takes notice on behalf of respondent No.6.

Issue notice to respondent Nos. 5 and 7.

Learned counsel for the petitioners is permitted to take out personal notice to respondent Nos. 5 and 7 by registered post with acknowledgment due and file proof of service in the Registry within two (2) weeks.

List the matter on 02.02.2023."

//TRUE COPY//

For >

Sd/- M. SRINIVAS
ASSISTANT REGISTRAR

SECTION OFFICER

To,

1. The Secretary, Parents - Teacher Committee, Zilla Parishad School, Gobburu Village, Peddaraveedu Mandal, Prakasam District
2. The Head Master, Zilla Parishad High School, Gobburu Village, Peddaraveedu Mandal, Prakasam District(1 & 2 by RPAD- along with a copy of petition and affidavit)
3. One CC to SMT. KOPPARTHI SUMATHI Advocate [OPUC]
4. Two CCs to GP FOR PANCHAYAT RAJ RURAL DEV ,High Court Of Andhra Pradesh. [OUT]
5. One CC to Sri G.Venkata Reddy, standing counsel [OPUC]
6. Two CCs to Government Pleader for School Education, High Court Of Andhra Pradesh. [OUT]
7. One spare copy

HIGH COURT

DEVJ

DATED:12/01/2023

LIST THE MATTER ON 02.02.2023

NOTICE BEFORE ADMISSION

WP.No.1031 of 2023

