

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

THURSDAY, THE THIRTEENTH DAY OF JULY
TWO THOUSAND AND TWENTY THREE



:PRESENT:

**THE HONOURABLE SRI JUSTICE RAVI CHEEMALAPATI
WRIT PETITION NO: 11035 OF 2023**

Between:

Habitation Works Committee, Katuvaripalem Village, Podili Mandal, Bapatla Mandal rep by its Chariman K.V Ramesh, S/o.Venkata Narsaiah, Aged about 50 years, Occ: Chairman, Habitations Works Committee, Katuvaripalem Village, Prakasam District resident of D.NO.18-159A, Katuvaripalem Village, Prakasam District.

.... Petitioner

AND

1. The State of Andhra Pradesh, by its Principal Secretary, Panchayath Raj and Rural Development, Rural Water Supply Department, Secretariat Buildings, Velagapudi, Guntur District.
2. The Engineer In Chief, Rural Water Supply Department, Vijayawada, Krishna District.
3. The District Collector, Prakasam District, Ongole.
4. The Deputy Executive Engineer, Rural Water Supply and Sanitation Division, Markapur.
5. The Pay and Accounts Officer, Ongole, Prakasam District.
6. The Revenue Divisional Officer, Markapur Revenue Division, Prakasam District.
7. The State of Andhra Pradesh, rep. by its Principal Secretary, Finance Department, Secretariat Buildings, Velagapudi, Guntur District.
8. The Podili Gram Panchayat, rep by its panchayat secretary, Podili gram Panchayat, Prakasam District.

....Respondents

WHEREAS the Petitioner above named through its Advocate M/s. Kotharu Vijayeswari 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 particularly one in the nature of Writ of Mandamus declaring the action on the part of the respondents in paying an total amount of Rs. 42,44,200/- only (Forty Two Lakhs Forty Four Thousand Two Hundred Rupees Only) for the water supplied by the petitioners as arbitrary, illegal and well established legal principles apart from being violative of the fundamental and Constitutional rights guaranteed to me under Articles 14, 19, 21 and 300-A of the Constitution of India and consequently direct the respondents to pay the amounts payable to his;

AND WHEREAS the High Court upon perusing the petition and affidavit filed herein and upon hearing the arguments of M/s. Kotharu Vijayeswari Advocate for the Petitioner, learned GP FOR PANCHAYAT RAJ for respondent No.1, learned GP FOR IRRIGATION for respondent Nos.2 & 4, learned GP for Revenue for respondent Nos.3 & 6, learned GP FOR FINANCE AND PLANNING DEPT., for respondent Nos.5 & 7, learned Standing Counsel for Gram Panchayat for respondent No.8, 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, State of Andhra Pradesh, Panchayath Raj and Rural Development, Rural Water Supply Department, Secretariat Buildings, Velagapudi, Guntur District.
2. The Engineer In Chief, Rural Water Supply Department, Vijayawada, Krishna District.
3. The District Collector, Prakasam District, Ongole.
4. The Deputy Executive Engineer, Rural Water Supply and Sanitation Division, Markapur.
5. The Pay and Accounts Officer, Ongole, Prakasam District.
6. The Revenue Divisional Officer, Markapur Revenue Division, Prakasam District.
7. The Principal Secretary, State of Andhra Pradesh, Finance Department, Secretariat Buildings, Velagapudi, Guntur District.
8. The Podili Gram Panchayat, rep by its panchayat secretary, Podili gram Panchayat, 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 20.07.2023, 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 for R1.

Learned Government pleader for Irrigation, takes notice for R2, R4.

Learned Government pleader for Revenue, takes notice for R3 & R6.

Learned Government pleader for Finance, takes notice for R5 & R7.

Learned Standing Counsel for Gram Panchayat, takes notice for R8.

Learned counsel for respondents seeks further one week time to get instructions.

Post on 20.07.2023."

Sd/- U. SRI DEVI
ASSISTANT REGISTRAR

//TRUE COPY//

F. SECTION OFFICER

To,

1. The Principal Secretary, State of Andhra Pradesh, Panchayath Raj and Rural Development, Rural Water Supply Department, Secretariat Buildings, Velagapudi, Guntur District.
2. The Engineer In Chief, Rural Water Supply Department, Vijayawada, Krishna District.
3. The District Collector, Prakasam District, Ongole.
4. The Deputy Executive Engineer, Rural Water Supply and Sanitation Division, Markapur.
5. The Pay and Accounts Officer, Ongole, Prakasam District.
6. The Revenue Divisional Officer, Markapur Revenue Division, Prakasam District.
7. The Principal Secretary, State of Andhra Pradesh, Finance Department, Secretariat Buildings, Velagapudi, Guntur District.
8. The Podili Gram Panchayat, rep by its panchayat secretary, Podili gram Panchayat, Prakasam District.
 1. (Addressees Nos.1 to 8 by RPAD- along with a copy of petition and affidavit)
9. One CC to SRI. KOTHARU VIJAYESWARI Advocate [OPUC]
10. Two CCs to GP FOR PANCHAYAT RAJ RURAL DEV, High Court Of Andhra Pradesh. [OUT]
11. Two CCs to GP FOR REVENUE, High Court of Andhra Pradesh. [OUT]
12. Two CCs to GP FOR FINANCE, High Court of Andhra Pradesh. [OUT]
13. Two CCs to GP FOR IRRIGATION, High Court of Andhra Pradesh. [OUT]
14. One CC to SC FOR GRAM PANCHAYAT [OPUC]
15. One spare copy

KJ

HIGH COURT

RCJ

DATED:13/07/2023

POST ON 20.07.2023

NOTICE BEFORE ADMISSION

WP.No.11035 of 2023

