

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



FRIDAY, THE THIRD DAY OF FEBRUARY
TWO THOUSAND AND TWENTY THREE

:PRESENT:

THE HONOURABLE SRI JUSTICE CHEEKATI MANAVENDRANATH ROY

WRIT PETITION NO: 1431 OF 2023

Between:

1. Lakkidapu Appalla Konda, D/o. Karu Syanyasi, Aged about 52 years, R/o. D.No. 1, SC Colony, Bogguladibba, Cantonment Area, Vizianagaram Municipal Corporation, Vizianagaram District at Vizianagaram.
2. Lakkidapu Yerukulamma, D/o. Gundala Chandrayya, Aged about 52 years, R/o. SC Colony, Bogguladibba, Cantonment Area, Vizianagaram Municipal Corporation, Vizianagaram District at Vizianagaram.
3. Kovvuru Bala, W/o. Kovvuru Venkata Rao, Aged about 54 years, R/o. D.No. 94, Cantonment Area, Bogguladibba, Vizianagaram Municipal Corporation, Vizianagaram District at Vizianagaram.
4. Mamidi Pydithalli, , D/o. Lakkidapu Bangarayya, Aged about 46 years, R/o. SC Colony, Cantonment Area, Vizianagaram Municipal Corporation, Vizianagaram District at Vizianagaram.
5. Kondala Nagamani, W/o. Kondala Gangaraju, Aged about 45 years, R/o. 1-13-2/183, SC Colony, Bogguladibba, Cheepurupalle Village, Vizianagaram Municipal Corporation, Vizianagaram District at Vizianagaram.
6. Sudha Ramanamma, W/o. Appa Rao, Aged about 50 years, R/o. SC Colony, Bogguladibba, Cantonment Area, Vizianagaram Municipal Corporation, Vizianagaram District at Vizianagaram.
7. Jaala Simhachalam, W/o. (Late) Gangadhar, Aged about 66 years, R/o. Khadarnagar, Bogguladibba, Cantonment Area, Vizianagaram Municipal Corporation, Vizianagaram District at Vizianagaram.
8. Mulaparthi Satyavathi, W/o. (Late) Gangadhar, Aged about 82 years, R/o. SC Colony, Bogguladibba, Cantonment Area, Vizianagaram Municipal Corporation, Vizianagaram District at Vizianagaram.
9. Paluri Adilaxmi, W/o. Paluri Jaya Raju, Aged about 50 years, R/o. 1-13-52/A, Bogguladibba, Cantonment Area, Vizianagaram Municipal Corporation, Vizianagaram District at Vizianagaram.
10. Pidugu Anjaneyulu, S/o. (Late) Manikyam, Aged about 77 years, R/o. 1-13/2-1/2, Near Saint Mary School, Bogguladibba, Cheepurupalle Village, Cantonment Area, Vizianagaram District at Vizianagaram.
11. Landa Lakshmi, W/o. (Late) Ramadasu, Aged about 38 years, R/o. 1-13/2-138, Bogguladibba, Cantonment Area, Vizianagaram Municipal Corporation, Vizianagaram District at Vizianagaram.
12. Mirapa Viramma, W/o. Raju, Aged about 35 years, R/o. 1-15/2-278, SC Colony, Bogguladibba, Cantonment Area, Vizianagaram Municipal Corporation, Vizianagaram District at Vizianagaram.
13. Lakkidapu Ugadamma, W/o. (Late) Appalaparadesi, Aged about 67 years, R/o. H.No. 79, SC Colony, Bogguladibba Village, Cantonment Area, Vizianagaram Municipal Corporation, Vizianagaram District at Vizianagaram.

14. Goka Yerramma, D/o. Mamidi Pyditalli, Aged about 57 years, R/o. H.No. 138, SC Colony, Bogguladibba, Cantonment Area, Vizianagaram Municipal Corporation, Vizianagaram District at Vizianagaram.
15. Savala Laxmi, W/o. Rama Rao, Aged about 44 years, R/o. H.No. 12, S.T. Meries School Road, Bogguladibba Village, Cantonment Area, Vizianagaram Municipal Corporation, Vizianagaram District at Vizianagaram.
16. Bonula Rambai, D/o. Akkivarapu Mohana Rao, Aged about 47 years, R/o. Beside Ambedkar Colony, Cantonment Area, Vizianagaram Municipal Corporation, Vizianagaram District at Vizianagaram.
17. Palli Kanthamma, W/o. Palli Appa Rao, Aged about 63 years, R/o. 1-13-2/162, Bogguladibba, Cantonment Area, Vizianagaram Municipal Corporation, Vizianagaram District at Vizianagaram.
18. Nidugatla Padma, W/o. (Late) Murali, Aged about 49 years, R/o. SC Colony, Cantonment Area, Vizianagaram Municipal Corporation, Vizianagaram District at Vizianagaram.

Petitioner/s

AND

1. The State of Andhra Pradesh, Rep. by its Principal Secretary to Government, Department of Municipal Administration, Secretariat, Velagapudi, Amaravati, Guntur District.
2. The District Collector, Vizianagaram District at Vizianagaram.
3. The Commissioner, Vizianagaram Municipal Corporation, Vizianagaram District at Vizianagaram.
4. The Tahsildar, Vizianagaram Mandal, Vizianagaram District at Vizianagaram.

Respondent/s

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 in the nature of WRIT OF MANDAMUS declaring the high handed action of the Respondents in taking steps to vacate physical possession by evicting/demolishing of our houses situated in Sy.No.612/P of Bogguladibba, Cantonment Area, Vizianagaram Municipal Corporation, Vizianagaram District in spite of Possession certificates, paying House Tax and paying Electricity Taxes by the petitioners in their respective houses, without any prior notice, without following the due procedure established by law as illegal, arbitrary, without jurisdiction, violative of principles of natural justice and violation of Articles 19, 21 and 300-A of Constitution of India and consequently direct the respondent authorities not to demolish the petitioners peaceful possession and enjoyment of the residential houses .

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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 authorities not to interfere and not evict/dispossess the petitioners peaceful possession and enjoyment of the residential houses of the petitioners in Sy.No.612/P of Bogguladibba, Cantonment Area, Vizianagaram Municipal Corporation, Vizianagaram District, Pending disposal of WP 1431 of 2023, 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 the order of the High Court dated 23-01-2023 & 25.01.2023 made herein and upon hearing the arguments of Sri M Lakshmi Narayana Advocate for the Petitioners and of GP for Municipal Administration for the Respondent No.1, GP for Revenue for Respondent Nos. 2 and 4, Sri M Manohar Reddy, Advocate for Respondent No.3, the Court made the following

ORDER:

"At request of learned Standing Counsel for respondent No.3 to file the affidavit as directed by this Court on 25.01.2023, list the matter after two (02) weeks.

Interim order granted earlier is extended till then."

SD/- A.VIJAYA BABU
ASSISTANT REGISTRAR

VB

SECTION OFFICER

//TRUE COPY//

To,

1. One CC to Sri. M Lakshmi Narayana, Advocate [OPUC]
2. One CC to Sri. M Manohar Reddy, Advocate [OPUC]
3. Two CCs to GP for Revenue, High Court of Andhra Pradesh. [OUT]
4. Two CCs to GP for Municipal Administration, High Court of AP. [OUT]
5. One spare copy.

MSB

HIGH COURT

CMR,J

DATED:03.02.2023

ORDER

LIST THE MATTER AFTER TWO (02) WEEKS

WP.No.1431 of 2023

EXTENSION OF INTERIM ORDER

