

[3209]

IN THE HIGH COURT OF ANDHRA PRADESH AT AMARAVATI

(SPECIAL ORIGINAL JURISDICTION)

**FRIDAY, THE TWENTY SEVENTH DAY OF JANUARY
TWO THOUSAND AND TWENTY THREE**

:PRESENT:

THE HONOURABLE SRI JUSTICE NINALA JAYASURYA



WRIT PETITION NO: 1784 OF 2023

Between:

C Lakshmi, Hindu, aged about 61 years. W/o Late C.Govindaswamy,
Occupation:House Wife, D.No.6-24, Oruru Village, Aalapakam Gram
Panchayath, Vijayapuram Mandal, Chittoor District, Andhra Pradesh - 517591.

Petitioner

AND

1. The State of Andhra Pradesh, Rep. by its Principal Secretary to Panchayath Raj and Rural Development, Velagapudi, Amaravathi, Andhra Pradesh - 522237.
2. The District Panchayath Officer, D.R.R. Colony, Reddygunta, Chittoor, Chittoor District, Andhra Pradesh - 517002.
3. The Panchayath Secretary, Aalapakam Grama Panchayath, Vijayapuram Mandal, Chittoor District, Andhra Pradesh - 517586.
4. The Assistant Engineer, Panchayath Raj, Vijayapuram Mandal, O/o MPDO Office, Vijayapuram, Chittoor District, Andhra Pradesh - 517586.
5. The District Collector, O/o the District Collectorate, Chittoor, Chittoor District, Andhra Pradesh - 517001.
6. The Mandal Revenue Officer, Vijayapuram Mandal, Chittoor District, Andhra Pradesh - 517586.

Respondents

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 order, writ or direction more particularly in the nature of writ of mandamus declaring the action of the respondent Nos.2 to 5 in not considering the petitioner representation dt.24.12.2022 and entering into the petitioner legally possessed property coercively and laying a CC Road in the petitioner private patta land in Sy.No.84/4 to an extent of Ac.0.09 cents and Sy.No.84/8B to an extent of Ac.0.09 cents situated at Aalapakam Village, Vijayapuram Mandal, Chittoor District is as illegal, arbitrary, violation of natural justice and violation of Articles 14 and 300A of the Constitution of India and consequently direct the 3rd respondent to suspend the operation of laying CC Road in Sy.No.84/4 to an extent of Ac.0.09 cents and Sy.No.84/8B to an extent of Ac.0.09 cents situated at Aalapakam Village, Vijayapuram Mandal, Chittoor District and consider the petitioner representation dt.24.12.2022 to the 3rd respondent.

IA NO: 1 OF 2023 :

Petition under Section 151 of CPC is filed praying that in the circumstances stated in the affidavit filed in support of the petition, the High Court may be pleased to direct the 3rd respondent to stay the operation of laying CC Road coercively without any prior notice or intimation to the petitioner in Sy.No.84/4 to an extent of Ac.0.09 cents and Sy.No.84/8B to an extent of Ac.0.09 cents situated at Aalapakam Village, Vijayapuram Mandal, Chittoor District and consider the petitioner representation dt.24.12.2022 imminent with the 3rd respondent, Pending disposal of WP 1784 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 upon hearing the arguments of Sri D KISHORE KUMAR Advocate for the Petitioner and of GP FOR PANCHAYAT RAJ for the Respondent Nos.1,2 & 4 and of SRI G. VENKATA REDDY, Advocate for the Respondent No.3, and of GP FOR REVENUE for the Respondent Nos.5 & 6, the Court made the following

ORDER:

"Heard learned Counsel for the Petitioner.

Learned Assistant Government Pleader for Revenue seeks time to secure instructions, learned Standing Counsel for 3rd respondent while seeking time to secure written instructions opposes granting any interim order.

However, considering the submissions made that in similar circumstances interim order was granted in W.P.No.36254 of 2022 dated 08.11.2022, there shall be a direction to the 3rd respondent to consider the representation of the petitioner dated 24.12.2022 and take appropriate action by conducting a survey of land in Sy Nos.84/4 and 84/8B of Oruru Village, Apalakam Gram Panchayat, Vijayapuram Mandal, Chittoor District. Till such time, the respondents are directed not to lay any road in Sy Nos.84/4 and 84/8B referred to above.

List after four (04) weeks."

//TRUE COPY//

**Sd/- T. MADHAVI
ASSISTANT REGISTRAR**

SECTION OFFICER

To,

- 1. The Principal Secretary to Panchayath Raj and Rural Development, State of Andhra Pradesh, Velagapudi, Amaravathi, Andhra Pradesh - 522237.**

2. The District Panchayath Officer, D.R.R. Colony, Reddygunta, Chittoor, Chittoor District, Andhra Pradesh - 517002.
3. The Panchayath Secretary, Aalapakam Grama Panchayath, Vijayapuram Mandal, Chittoor District, Andhra Pradesh - 517586.
4. The Assistant Engineer, Panchayath Raj, Vijayapuram Mandal, O/o MPDO Office, Vijayapuram, Chittoor District, Andhra Pradesh - 517586.
5. The District Collector, O/o the District Collectorate, Chittoor, Chittoor District, Andhra Pradesh - 517001.
6. The Mandal Revenue Officer, Vijayapuram Mandal, Chittoor District, Andhra Pradesh - 517586. (by RPAD)
7. One CC to SRI. D KISHORE KUMAR Advocate [OPUC]
8. Two CCs to GP FOR PANCHAYAT RAJ RURAL DEV, High Court Of Andhra Pradesh. [OUT]
9. One CC to SRI G. VENKATA REDDY, Advocate [OPUC]
10. Two CCs to GP FOR REVENUE, High Court of Andhra Pradesh. [OUT]

11. One spare copy

ER

HIGH COURT

NJS, J

DATED:27/01/2023

LIST AFTER FOUR (04) WEEKS

ORDER

WP.No.1784 of 2023

DIRECTION

