

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

FRIDAY, THE TWENTY EIGHTH DAY OF JULY
TWO THOUSAND AND TWENTY THREE

:PRESENT:

**THE HONOURABLE SRI JUSTICE RAVI CHEEMALAPATI
WRIT PETITION NO: 18895 OF 2023**



Between:

K Venkatesh, S/o. K. Jhotaiah, Aged 28 years, R/o. H.No.12-4, Chenchuvari Colony, Peruru, Tirupati Rural Mandal, Chittoor District, Now in Tirupati District
Petitioner

AND

1. The State of Andhra Pradesh, Rep. by its Principal Secretary, Panchayat Raj and Rural Development Department, A.P Secretariat at Velagapudi, Amaravathi, Guntur District
2. The Panchayat Secretary, Peruru Panchayat, Tirupati Rural Mandal, Chittoor District, Now in Tirupati District
3. The Tahsildar, Tirupati Rural Mandal, Chittoor District, Now in Tirupati District
4. The Hathiramji Mutt, Rep. by its Mahanth / Custodian, Tirupati, Chittoor District, Now in Tirupati District

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 a writ order or direction more particularly one in the nature of Writ of Mandamus declaring the action of the Respondents in trying to dispossess / interfere with possession and enjoyment of the Petitioner in respect of the Plot an extent of Ac.0.50 cents, 2nd Plot admeasuring 7875 sq.feet (708.75 sq.yards) and 3rd Plot admeasuring 154.27 sq.yards in Sy.No.9/1 of Pudipetla Revenue Village lands, Perumalapalli Village, Tirupati Rural Mandal, Chittoor District, now in Tirupati District without following due process of law as illegal, arbitrary and unconstitutional and consequently direct the Respondents riot to dispossess / interfere with possession and enjoyment of the Petitioner in respect of the Plot an extent of Ac.0.50 cents, 2nd Plot admeasuring 7875 sq.feet (708.75 sq.yards) and 3rd Plot admeasuring 154.27 sq.yards in Sy.No.9/1 of Pudipetla Revenue Village lands, Perumalapalli Village, Tirupati Rural Mandal, Chittoor District, now in Tirupati District without following due process of law.

IA NO: 1 OF 2023

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 Respondents 2 to 4 not to dispossess / interfere with the possession and enjoyment of the Petitioner in respect of the land an extent of Ac.0.50 cents (1st Plot), 154.27 sq.yards (2nd Plot), 7875 sq.feet (708.75 sq.yards) (3rd Plot) in Sy.No.9/1 of Pudipetla Revenue Village lands, Perumalapalli Village, Tirupati Rural Mandal, Chittoor District, now in Tirupati District without following due process of law and pass, Pending disposal of WP 18895 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 G Ramesh Babu Advocate for the Petitioner, GP for Panchayat Raj Rural Dev for the

Respondent No.1, Sri G.Venkat Reddy, Standing Counsel for the Respondent No.2, GP for Revenue for the Respondent No.3, Sri B.Srinivas Rao, Standing Counsel for the Respondent No.4, the Court made the following

ORDER

"When the matter is taken up for consideration, learned counsel for the petitioner submitted that the Grama Panchayat Authorities as well as the 3rd respondent-Tahsildar are contemplating to dispossess the petitioner from the subject land, though they know that the petitioner has made an application to de-notify the subject land from the purview Section 22-A of the Registration Act. As such, the present Writ Petition is filed.

On the other hand, learned Assistant Government Pleader Revenue sought time to get instructions.

Sri G. Venkata Reddy, learned Standing Counsel for Grama Panchayats, submitted that the petitioner's land comes under the purview of Perumallapalle Village Grama Panchayat and not Peruru Panchayat.

To the said submission learned counsel for the petitioner sought two (02) weeks time to implead the concerned Grama Panchayat as respondent.

Post on 11.08.2023 in the 'motion list'.

In the meanwhile, 3rd respondent-Tahsildar is directed not interfere with the petitioner's property."

Sd/- U. SRI DEVI
ASSISTANT REGISTRAR

//TRUE COPY//

F SECTION OFFICER

To,

1. The Principal Secretary, Panchayat Raj and Rural Development Department, State of Andhra Pradesh, A.P Secretariat at Velagapudi, Amaravathi, Guntur District
2. The Panchayat Secretary, Peruru Panchayat, Tirupati Rural Mandal, Chittoor District, Now in Tirupati District
3. The Tahsildar, Tirupati Rural Mandal, Chittoor District, Now in Tirupati District
4. The Mahanth / Custodian, Hathiramji Mutt Tirupati, Chittoor District, Now in Tirupati District(1 to 4 by RPAD)
5. One CC to Sri G Ramesh Babu Advocate [OPUC]
6. Two CCs to GP for Panchayat Raj Rural Dev, High Court Of Andhra Pradesh. [OUT]
7. One CC to Sri G.Venkat Reddy, Standing Counsel [OPUC]
8. Two CCs to GP for Revenue, High Court Of Andhra Pradesh. [OUT]
9. One CC to Sri B.Srinivas Rao, Standing Counsel [OPUC]
10. One spare copy

RVK

HIGH COURT

RCJ

DATED:28/07/2023

POST ON 11.08.2023 IN THE 'MOTION LIST'

ORDER

WP.No.18895 of 2023

DIRECTION

