

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

MONDAY, THE THIRTIETH DAY OF JANUARY
TWO THOUSAND AND TWENTY THREE

: PRESENT:

**THE HONOURABLE SRI JUSTICE NINALA JAYASURYA
WRIT PETITION NO: 1931 OF 2023**



Between:

1. Botsa Padma, W/o Thowdu, Aged 46 years, Occ House Wife, R/o Ward 38, Vizianagaram Town, Vizianagaram District
2. Dasari Anasurya, S/o Hanumantha Rao, Aged 42 years, Occ Auto Driver, R/o Ward 38, Vizianagaram Town, Vizianagaram District
3. Botsa Venkayamma, W/o Bosta Rambabu, Aged 63 years, Occ Milk business, R/o Ward 38, Vizianagaram, Vizianagaram District

Petitioners

AND

1. The State of Andhra Pradesh, Rep. by the Principal Secretary, Revenue Department, Secretariat Buildings, at Velagapudi, Amaravati, Andhra Pradesh
2. The District Collector, Vizianagaram, Vizianagaram District.
3. The Tahsildar, Vizianagaram Mandal, Vizianagaram 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 an order, writ or direction more particularly in the nature of Writ of Mandamus Under Article 226 of the Constitution of India declaring the action of the respondents in seeking dispossession of the petitioners from their House site Patta land admeasuring 25X35 square yards each in ward No.38, in TS No.35-part, Block No.2 Near Mutyalamma Temple, Kothapeta, Vizianagaram Town, Vizianagaram District without following any procedure known to law as illegal and against to principles of natural justice and violative of Article 14, 21 and 300-A of Constitution of India and consequently direct the respondents not to dispossess the petitioners from their land mentioned above as otherwise the petitioner would suffer irreparable loss, injury, great hardship

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 not to dispossess the petitioners from their House site Patta land admeasuring 25X35 square yards each in ward No.38, in TS No.35-part, Block No.2 Near Mutyalamma Temple, Kothapeta, Vizianagaram Town, Vizianagaram District, pending disposal of WP 1931 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 P NARAHARI BABU Advocate for the Petitioner, and of GP FOR REVENUE for the Respondents, the Court made the following.

ORDER:

"Heard learned Counsel for the petitioners.

Learned Assistant Government Pleader for Revenue seeks time to secure written instructions in the matter.

List after three (03) weeks.

Considering the submissions made, there shall be a direction to the respondents not to take any coercive action in respect of the subject matter property without following due process of Law".

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

//TRUE COPY//

SECTION OFFICER

To,

1. The Principal Secretary, Revenue Department, State of Andhra Pradesh, Secretariat Buildings, at Velagapudi, Amaravati, Andhra Pradesh
2. The District Collector, Vizianagaram, Vizianagaram District.
3. The Tahsildar, Vizianagaram Mandal, Vizianagaram District (Addresses 1 to 3 by RPAD)
4. One CC to SRI P NARAHARI BABU Advocate [OPUC]
5. Two CCs to GP FOR REVENUE, High Court of Andhra Pradesh. [OUT]
6. One spare copy

HIGH COURT

NJSJ

DATED:30/01/2023

LIST AFTER THREE WEEKS

ORDER

WP.No.1931 of 2023

DIRECTION

