



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

**WEDNESDAY, THE SECOND DAY OF AUGUST,
TWO THOUSAND AND TWENTY THREE**

:PRESENT:

**THE HONOURABLE SRI JUSTICE NINALA JAYASURYA
WRIT PETITION NO: 19423 OF 2023**

Between:

1. B.Saraswati, W/o. Gopi Naik, Aged about 37 Years, Occ. Housewife, R/o. Rama Naik Thanda, Gudarevupalle, Piler Mandal, Annamayya District.
2. B. Rahul Naik, S/o. Reka Naik, Aged about 35 Years, Occ. Agriculturist, R/o. Jomdala Village and Post, Majara Pacharlamakulapally Thanda, Piler Mandal, Annamayya District.

...Petitioners

AND

1. The State of Andhra Pradesh, Rep. by its Principal Secretary, Revenue Department, A.P Secretariat Building, Amaravathi, Guntur District.
2. The District Collector, Annamayya District at Rayachoty.
3. The Tahsildar, Piler Mandal, Annamayya District.

...Respondents

Petition under Article 226 of the Constitution of India is filed praying that in the circumstances stated in the affidavit filed therewith, the High Court may be pleased to issue a Writ, or direction more particularly one in the nature of Writ of Mandamus declaring the action of the respondents Nos.2 to 3 highhandedly trying to demolish the structures in Plot No.39 and 38 in Sy.No.200-1 A, situated in Gudarevupalle village, Piler Mandal, Annamayya District respectively, without adhere the produce under law as arbitrary, illegal, contrary to the well established legal principles apart from being violative of fundamental and constitutional rights guaranteed us under article 14,19,21 and 300-A of the Constitution of India. Consequently direct the respondents, more particularly respondents Nos.2 to 3 not to demolish the structures in Plot No.39 and 38 in Sy.No.200-1A, situated in Gudarevupalle village, Piler Mandal, Annamayya District., without following due process of law.

IA NO: 1 OF 2023

Petition under Section 151 CPC is filed praying that in the circumstances stated in the affidavit filed in support of the writ petition, the High Court may be pleased to direct the respondents 2 and 3 not to demolish the structures in Plot No.39 and 38 in Sy.No.200-1A, situated in Gudarevupalle village, Piler Mandal, Annamayya District respectively., without following due process of law, pending disposal of WP.No.19423 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 Suresh Kumar Reddy Kalava, Advocate for the Petitioner and GP for Revenue for the Respondents, the Court made the following;

ORDER:

"Heard learned counsel for the petitioners.

Learned Assistant Government Pleader for Revenue while placing a copy of the written instructions dated 02.08.2023 seeks time for filing counter.

In the said instructions, it is stated that the petitioners are trying to encroach the Government land under the guise of Registered Document in respect of Survey No.200/1A of Godarevupalle Village, Piler Mandal. It is also stated that there is no objection in respect of the land in Survey No.200/1A of Gudarevupalle Village, as it is a patta land.

Let a counter-affidavit be filed, within a period of three (3) weeks setting out all the relevant aspects.

In the meanwhile, *status quo* with regard to the subject matter property including the constructions existing as on today shall be maintained by all the parties.

List this case after 10 days in the 'Motion List'."

SD/- K KASIRAO ACHARI
ASSISTANT REGISTRAR

//TRUE COPY//

For ASSISTANT REGISTRAR

To,

1. The Principal Secretary, Revenue Department, A.P Secretariat Building, Amaravathi, Guntur District, State of Andhra Pradesh.
2. The District Collector, Annamayya District at Rayachoty.
3. The Tahsildar, Piler Mandal, Annamayya District. (Addressee Nos.1 to 3 by RPAD)
4. One CC to Sri. Suresh Kumar Reddy Kalava, Advocate [OPUC]
5. Two CCs to GP for Revenue, High Court of Andhra Pradesh. [OUT]
6. One spare copy

MM

HIGH COURT

NJSJ

DATED:02/08/2023

NOTE: LIST THIS CASE AFTER 10 DAYS IN THE MOTION LIST

ORDER

WP.No.19423 of 2023

STATUS QUO

