

 [3209]

**(SHOW CAUSE NOTICE BEFORE ADMISSION)
IN THE HIGH COURT OF ANDHRA PRADESH AT AMARAVATI
(SPECIAL ORIGINAL JURISDICTION)**

THURSDAY, THE FIFTH DAY OF JANUARY

TWO THOUSAND AND TWENTY THREE

**:PRESENT:
THE HONOURABLE SRI JUSTICE NINALA JAYASURYA**

WRIT PETITION NO: 442 OF 2023

Between:

Bysani Ratnamma, W/o.Bysani Nagaraju, aged 48 years, Occ.Cultivation,
R/o.Alamuru Village, Rudravaram Mandal, Nandyal (Kurnool) District.

Petitioner

AND

1. The State of Andhra Pradesh, Rep. by its Principal Secretary, Revenue Department, Secretariat, Velagapudi, Amaravathi, Guntur District.
2. The District Collector, Nandyal, Nandyal (Kurnool) District,
3. The Revenue Divisional Officer, Nandyal Division, Nandyal (Kurnool) District.
4. The Tahsildar, Allagadda Mandal, Nandyal (Kurnool) District.
5. Narayana Ramachandraiah, S/o. Lakshmi Narayana, aged 58 years, Occ.Cultivation, R/o.Alamuru Village, Rudravaram Mandal, Nandyal (Kurnool) District.

Respondents

WHEREAS the Petitioner above named through her Advocate Sri CHALLA SIVASANKAR presented this 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 directions, more particularly one in the nature of Writ of Mandamus, declaring notice Endorsement. Rc.B/356/2022, dated.20-12-2022, issued by the 4th respondent by entertaining appeal/online application filed by the 5th respondent against the petitioner without jurisdiction, contrary to the Section 8(2) and 9 of A.P. Rights in Land and Pattadar Passbooks Act, 1971, in respect of land in Sy.No. 50 an extent of Ac.3.64 cents, situated at Yadawada Village fields, Allagdda Mandal, Nandyal (Kurnool) District, which is illegal, arbitrary, unjust, violative of provisions of ROR Act, Articles 14, 19 and 300-A of the Constitution of India, apart from the law laid down by Hon'ble Division Bench of this Hon'ble Court and consequently set-aside the same, further directions to the 4th respondent not to cancel the entries in web land in the village accounts existing in her name and retaining the digital signature, or otherwise petitioner and her family will suffer serious finance loss and great hardship.

AND WHEREAS the High Court upon perusing the petition and affidavit filed herein and upon hearing the arguments of Sri CHALLA SIVASANKAR Advocate for the Petitioner and of , GP FOR REVENUE for Respondent Nos. 1 to 4, directed issue of notice to the Respondent No.5 herein to show cause as to why this WRIT PETITION should not be admitted.

You viz:

Narayana Ramachandraiah, S/o. Lakshmi Narayana, aged 58 years, Occ. Cultivation, R/o. Alamuru Village, Rudravaram Mandal, Nandyal (Kurnool) District.

are be and hereby directed to show cause either appearing in person or through an Advocate, as to why in the circumstances set out in the petition and the affidavit filed therewith (copy enclosed) this WRIT PETITION should not be admitted on or before 30.01.2023, on which date the case stands posted for hearing.

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 grant interim suspension of the notice Endorsement.Rc.B/356/2022, dated.20-12-2022, issued by the 4th respondent and also stay of all further proceedings pursuant to the subject notice, duly retaining the digital signature in online revenue records in respect of land in Sy.No. 50 an extent of Ac.3.64 cents, situated at Yadawada Village fields, Allagdda Mandal, Nandyal (Kurnool) District, pending disposal of WP No. 442 of 2023, on the file of the High Court.

The Court made the following: ORDER

"Heard the learned counsel for the petitioners.✓

The learned Assistant Government Pleader for revenue seeks time to secure written instructions.✓

Issue notice to respondent No.5 ✓

Learned counsel for the petitioner is permitted to take out personal notice on respondent No.5 by registered post with acknowledgement due and file proof of service in the Registry by the date of next adjournment.✓

List on 30.01.2023 to enable the Learned Assistant Government Pleader to secure the instructions specifically with reference to the averments made in Para No.5 of the affidavit. Considering the averments made in the said para

there shall be a stay of all further proceedings pursuant to the endorsement dated 20.12.2022 issued by the 4th respondent for a period of four (4) weeks."

Sd/- S. SRINIVASA PRASAD
ASSISTANT REGISTRAR

23

//TRUE COPY//

Foi

SECTION OFFICER

To,

1. The Principal Secretary, Revenue Department, Secretariat, Velagapudi, Amaravathi, Guntur District.
2. The District Collector, Nandyal, Nandyal (Kurnool) District,
3. The Revenue Divisional Officer, Nandyal Division, Nandyal (Kurnool) District.
4. The Tahsildar, Allagadda Mandal, Nandyal (Kurnool) District.
5. Narayana Ramachandraiah, S/o. Lakshmi Narayana, R/o. Alamuru Village, Rudravaram Mandal, Nandyal (Kurnool) District. (Addressess 1 to 5 by RPAD- along with a copy of petition and memorandum of grounds)
6. One CC to SRI. CHALLA SIVASANKAR Advocate [OPUC]
7. Two CCs to GP FOR REVENUE ,High Court Of Andhra Pradesh. [OUT]
8. One spare copy.

psk

HIGH COURT

NJSJ

DATED:05/01/2023

LIST ON 30.01.2023

NOTICE BEFORE ADMISSION

WP.No.442 of 2023

STAY

