



(SHOW CAUSE NOTICE BEFORE ADMISSION)  
HIGH COURT OF ANDHRA PRADESH AT AMARAVATHI  
SUNDAY, THE SIXTEENTH DAY OF JUNE  
TWO THOUSAND AND TWENTY FOUR

:PRESENT:

THE HONOURABLE SRI JUSTICE RAVI CHEEMALAPATI

WRIT PETITION (SR) NO: 19690 OF 2024

Between:

Matta John Victor, S/o Manikyala Rao, Aged about 41 years, Occ: Business,  
R/o D.No.3-146, Lingavaram Village, Gudivada Mandal, Krishna District

Petitioner/s

AND

1. The State of Andhra Pradesh, Rep. by its Principal Secretary to Government, Panchayat Raj and Rural Development Department, Secretariat, Velagapudi, Amaravati, Guntur District.
2. The District Collector, Krishna District, Machilipatnam.
3. The District Panchayat Officer, Krishna District, Machilipatnam.
4. The Lingavaram Grama Panchayat, Rep. by its Executive Authority – cum – Panchayat Secretary, Lingavaram Village and Gudivada Mandal, Krishna District.

Respondent/s

WHEREAS the Petitioner above named through their Advocate Sri MEDAPATI SANTOSH REDDY 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 of mandamus or any appropriate writ, order or direction declaring the action of the respondents in interfering to demolish the structures at the petitioner's house bearing door land measuring 0.03 acres, located in Sy.No.205/2 of

Lingavaram Village, Gudivada Mandal of Krishna District. with out following due process of law as illegal, arbitrary and unconstitutional and also violative of principles of natural justice and consequently direct the second respondent not to demolish the structures without following due process of law and to pass such other order or orders as this Hon'ble court may deem fit just and proper in the circumstances of the case.

AND WHEREAS the High Court upon perusing the petition and affidavit filed herein and upon hearing the arguments of Sri MEDAPATI SANTOSH REDDY Advocate for the Petitioner, GP for Panchayat Raj who takes notice for on behalf of the Respondent Nos.1 & 3, GP for Revenue for Respondent No.2 and of N. Sri Hari Standing Counsel for Gram Panchayat for Respondent No.4 to directed issue of notice to the Respondents herein to show cause as to why this WRIT PETITION should not be admitted.

You viz:

1. The Principal Secretary, Panchayat Raj and Rural Development Department, State of Andhra Pradesh, Secretariat, Velagapudi, Amaravati, Guntur District.
2. The District Collector, Krishna District, Machilipatnam.
3. The District Panchayat Officer, Krishna District, Machilipatnam.
4. The Executive Authority – cum – Panchayat Secretary, Lingavaram Village and Gudivada Mandal, Krishna District.

are directed to show cause on or before 08-07-2024 to which date the case stands posted as to why in the circumstances set out in the petition/appeal and the affidavit/memorandum of grounds filed therewith (copy enclosed) this WRIT PETITION should not be admitted.

**I.A.(SR) No.1 of 2024:**

Petition under Section 151 of C.P.C., praying that in the circumstances stated in the affidavit filed herein, the High Court may be pleased to grant interim stay of demolition of the structures of the Petitioner at land measuring 0.03 acres, located in Sy.No.205/2 of Lingavaram Village, Gudivada Mandal of Krishna District respectively, pending disposal W.P.(SR)No.19690 of 2024 on the file of the High Court.

**The Court made the following: ORDER**

**Notice before admission.**

**Learned Government Pleader for Panchayat Raj takes notice for Respondent Nos.1 & 3.**

**Learned Government Pleader for Revenue takes notice for Respondent No.2.**

**Sri N.Sri Hari, learned Standing Counsel for Gram Panchayat takes notice for Respondent No.4.**

**Sri Medapati Santosh Reddy, learned counsel for the petitioner contended that, the revenue authorities have assigned the land to an extent of Ac.0.03 cents to the petitioner wherein he constructed a house and paying taxes to the Gram Panchayat regularly. Now, the respondent authorities, without following the procedure contemplated under law, are highhandedly trying to demolish the petitioner's house in the subject property. If they are permitted to do so, the rights of the petitioner would get infringed. Accordingly prayed to pass appropriate orders protecting the interest of the petitioner, pending writ petition.**

**Sri N.Sri Hari, learned Standing Counsel and the learned Assistant Government Pleaders for Panchayat and Revenue sought time to get instructions.**

In response, learned counsel for the petitioner submitted that in the meantime, the authorities may demolish the structures in the subject property and in such an eventuality, the rights of the petitioner over the subject property would get affected and the purpose of filing this writ petition would get frustrated.

Perused the record.

The material placed on record would *prima facie* indicate that the petitioner is in possession of the subject property. Learned counsel for the respondents sought time for getting instructions. As rightly contended by the learned counsel for the petitioner, in the meantime, if the respondent authorities demolish the structures, it affects the rights of the petitioner.

In view of the same, to meet the ends of justice, this Court is inclined to pass the following order:-

"The respondent authorities are directed not to interfere with the subject property, except under due process of law."

Post on 08.07.2024 in the 'motion list'.

*U. Suresh*  
for COURT OFFICER

//TRUE COPY//

To

1. The Principal Secretary, Panchayat Raj and Rural Development Department, State of Andhra Pradesh, Secretariat, Velagapudi, Amaravati, Guntur District.
2. The District Collector, Krishna District, Machilipatnam.
3. The District Panchayat Officer, Krishna District, Machilipatnam.
4. The Executive Authority – cum – Panchayat Secretary, Lingavaram Village and Gudivada Mandal, Krishna District.
5. One CC to Sri Medapati Santosh Reddy, Advocate [OPUC]
6. Two CCs to GP for Panchayat Raj, High Court of A.P. [OUT]

7. The Section Officer, Writ Filing Section, High Court of A.P.
8. Two CCs to GP for Revenue, High Court of A.P. [OUT]
9. One CC to Sri N. Sri Hari, Standing Counsel for Gram Panchayat [OPUC]
10. One Spare Copy.

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DRAFTED. stee  
DATED 16.06.2024

HIGH COURT

RCJ

DATED:16/06/2024

NOTICE BEFORE ADMISSION

HOUSE MOTION

WP(SR).No.19690 of 2024



POST ON 08.07.2024