

(SHOW CAUSE NOTICE BEFORE ADMISSION)

**HIGH COURT OF JUDICATURE AT HYDERABAD
FOR THE STATE OF TELANGANA AND THE STATE OF ANDHRA
PRADESH**

(Special Original Jurisdiction)

WEDNESDAY, THE TWENTY FIFTH DAY OF MARCH
TWO THOUSAND AND FIFTEEN

:PRESENT:

THE HON'BLE SRI JUSTICE A.RAJASHEKER REDDY

WP :7949 of 2015

Between:

Yeepuri Sesha Srinivasa Varma Son of late Yeepuri Balabhadra Raju, resident of
H.No.8-13-9/21, Pratap Nagar, Kakinada, East Godavari District.

..... Petitioner

AND

- 1 The State of Andhra Pradesh, Represented by its Principal Secretary,
Revenue [Endowments] Department, Secretariat Buildings, Hyderabad.
- 2 The Commissioner of Endowments, State of Andhra Pradesh, Tilak Road,
Hyderabad.
- 3 The Deputy Commissioner of Endowments, Endowments Department,
Kakinada, East Godavari District.
- 4 The Assistant Commissioner, Endowments Department, At Rajahmundry,
East Godavari District.
- 5 Sri Bhavanarayana Swamy Temple, Represented by its Executive Officer,
Sarpavaram Village, Kakinada Rural Mandal, East Godavari District.

.....Respondents

WHEREAS the Petitioner above named through its Advocate SRI P.RAVI SHANKER presented this writ petition under Article 226 of the Constitution of India praying that in the circumstances stated in the Affidavit filed here in 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 auctioning the lands in possession of the petitioner in Sy.No.486 and 534 admeasuring Ac.4.65 cents (though stated as Ac.5.65 cents), situated at A-Vizianagaram, Gollaprolu Mandal, East Godavari District, belongs to 5th respondent temple and forcibly trying to evict the petitioner by issuing auction notice dated 16.03.2015, as arbitrary, irregular, illegal and against principles of natural justice and consequently set aside the same.

AND WHEREAS the High Court upon perusing the petition and affidavit filed herein and upon hearing the arguments of SRI P.RAVI SHANKER, Advocate for the Petitioner, learned Government Pleader for Endowments (A.P.) for the Respondent No.1 to 4, and of Smt.K.Lalitha, learned Standing Counsel for Temples, for Respondent No.5, and directed issue of notice to the Respondents herein to show cause as to why this writ petition should not be admitted in the circumstances set out in the petition and the affidavit filed in Writ Petition.

You viz;

- 1 The Principal Secretary, Revenue [Endowments] Department, State of
Andhra Pradesh, Secretariat Buildings, Hyderabad.
- 2 The Commissioner of Endowments, State of Andhra Pradesh, Tilak

- Road, Hyderabad.
- 3 The Deputy Commissioner of Endowments, Endowments Department,
Kakinada, East Godavari District.
- 4 The Assistant Commissioner, Endowments Department, At
Rajahmundry, East Godavari District.
- 5 The Executive Officer, Sri Bhavanarayana Swamy Temple,
Sarpavaram Village, Kakinada Rural Mandal, East Godavari District.

are directed to show cause 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.

W.P.M.P.No.10494 OF 2015

Petition under Section 151 of C.P.C. Praying that in the circumstances stated in the affidavit filed in W.P. the High Court may be pleased to stay all further proceedings pursuant to issuance of auction notice, dated 16.03.2015 issued by the 5th respondent by directing not to evict the petitioner from the land admeasuring Ac.4.65 cents situated in Sy.Nos.486 and 534, AVizianagaram, Gollaprolu Mandal, East Godavari District, pending disposal of the Writ Petition No. 7949 of 2015 on the file of the High Court.

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THE COURT MADE THE FOLLOWING ORDER:
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Notice before admission.

The case of the petitioner is that auction was conducted on 16.03.2015 and though the petitioner emerged as highest bidder, against auction notice was issued on 27.03.2015. Aggrieved by the same, the present writ petition is filed.

Learned standing counsel produced some documents showing that auction cannot be proceeded because of some disturbances and hence again auction notification was issued at the request of all the villagers.

In view of the same, let the auction go on. But there shall be stay of finalization and the respondents to file a report regarding the fresh auction. Petitioner can also participate in the fresh auction.

Post on 30.03.2015 in Motion List.

//TRUE COPY//

ASSISTANT REGISTRAR

For ASSISTANT REGISTRAR

To

- 1 The Principal Secretary, Revenue [Endowments] Department, State of Andhra Pradesh, Secretariat Buildings, Hyderabad.
- 2 The Commissioner of Endowments, State of Andhra Pradesh, Tilak Road, Hyderabad.
- 3 The Deputy Commissioner of Endowments, Endowments Department, Kakinada, East Godavari District.
- 4 The Assistant Commissioner, Endowments Department, At Rajahmundry, East Godavari District.
- 5 The Executive Officer, Sri Bhavanarayana Swamy Temple, Sarpavaram Village, Kakinada Rural Mandal, East Godavari District. (1 to 5 by RPAD along with a copy of petition and affidavit)
- 6 One CC to SRI P.RAVI SHANKER, Advocate (OPUC)
- 7 Two CCs to the G.P. for Endowments (A.P.), High Court, Hyderabad. (OUT)
- 8 One spare copy.

SRL

HIGH COURT

ARRJ

DATED: 25.03.2015

NOTE: POST ON 30.03.2015 IN MOTION LIST.

NOTICE BEFORE ADMISSION

W.P.NO. 7949 OF 2015

DIRECTION

HIGH COURT

**Drafted by: SRL
Date of Drafting : 26.03.2015**

ARRJ

DATED: 25.03.2015

NOTE: POST ON 30.03.2015 IN MOTION LIST.

NOTICE BEFORE ADMISSION

W.P.NO. 7949 OF 2015

DIRECTION