

**HIGH COURT OF JUDICATURE AT HYDERABAD**  
**FOR THE STATE OF TELANGANA AND THE STATE OF ANDHRA PRADESH**  
**MONDAY , THE FIFTH DAY OF OCTOBER**  
**TWO THOUSAND AND FIFTEEN**

:PRESENT:  
**THE HON'BLE SRI JUSTICE VILAS V.AFZULPURKAR**

**WP .NO:32288 of 2015**

Between:

Marlapati Seetharamaiah S/o Venkata Subbaiah

**..... Petitioner**

**AND**

- 1** The State of Andhra Pradesh Rep. by its Principal Secretary,  
Revenue Department, Secretariat Buildings, Hyderabad.
- 2** The District Collector, Prakasam District, at Ongole.
- 3** The Revenue Divisional Officer, Prakasam District, at Ongole
- 4** The Tahasildar, Santhamaguluru Mandal, Prakasam District.

**.....Respondents**

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the affidavit filed herein,the High Court may be pleased Issue a writ, order or direction more particularly one in the nature of WRIT OF MANDAMUS declaring the Order of the 4th Respondent Dated: 29-09-2015 in RCA/323/2015 directing the Petitioner to evict from his land of Ac. 0-95 Cents in Survey No. 288 of Thangedumalli Village, Santhamagaluru Mandal, Prakasam District, as illegal, arbitrary, irrational, illogical, opposed to the Principles of Natural Justice, violative of the provisions of Land Encroachment Act and rules framed thereunder, besides being violative of the Orders Dated: 20-08-2015 rendered by this Honble Court in WP No. 24979 of 2015 and set aside the same directing the Respondents herein not to interfere with the Petitioner's possession and enjoyment of his aforesaid property.

The petition coming on for hearing, upon perusing the Petition and the affidavit filed in support thereof and made herein and upon hearing the arguments of SRI VENKATESWARLU CHAKKILAM Advocate for the Petitioner, G.P for Revenue for the Respondents and the Court made the following.

**ORDER**

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**Prima Facie, the impugned order passed U/s. 6 of the Land Encroachment Act is not supported by any reasoned order, though the petitioner's detailed objections on record and this court had already issued directions in WP No. 24979 of 2015 dated: 20.08.2015.**

**Let the learned Government Pleader for Revenue to get instructions.**

**Post on 12.10.2015.**

**Pending further orders, the eviction of the petitioner is  
pursuance of the impugned order shall remain stayed.**

ASSISTANT REGISTRAR

//TRUE COPY//

For ASSISTANT REGISTRAR

To

- 1 The Principal Secretary, Revenue Department, State of  
Andhra Pradesh Secretariat Buildings, Hyderabad.
- 2 The District Collector, Prakasam District, at Ongole.
- 3 The Revenue Divisional Officer, Prakasam District, at  
Ongole
- 4 The Tahasildar, Santhamaguluru Mandal, Prakasam  
District. **sl no. 1 to 4 by RPAD**
- 5 One CC to Sri. CHAKKILAM VENKATESWARLU, Advocate  
(OPUC)
- 6 Two CC's to G.P for Revenue, High Court at Hyderabad  
(OUT)
- 7 Two Spare copies.

Avs

HIGH COURT

VVAJ

DATED: 05.10.2015

ORDER

WP NO. 32288 OF 2015

DIRECTION

Avs

Dated: 06.10.2015

HIGH COURT

VVAJ

DATED: 05.10.2015

ORDER

WP NO. 32288 OF 2015

DIRECTION