

(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)

TUESDAY, THE THIRD DAY OF MARCH,
TWO THOUSAND AND FIFTEEN

:PRESENT:

THE HON'BLE SRI JUSTICE VILAS V.AFZULPURKAR

WP : 5016 of 2015

Between:

V. Chandrasekhar, S/o. Late David,
Aged about 50 years, Occ: Head Master,
Government High School, Rayachoty,
Rayachoty Mandal, Y.S.R. District.

..... Petitioner

AND

- 1 The State of Andhra Pradesh, Rep. by its Principal Secretary, Revenue Department, Secretariat Buildings, Hyderabad.
- 2 The District Collector, Y.S.R. District, Kadapa.
- 3 The Superintendent of Police, Y.S.R. District, Kadapa.
- 4 The Thasildar, Rayachoty, Rayachoty Mandal, Y.S.R. District.
- 5 The Circle Inspector, Rayachoty, Rayachoty Mandal, Y.S.R. District.
- 6 S.A. Gaffoor, S/o. Sri Late Mohiddin, Occ: Secretary of Managing Committee, Shahi Jamia Mosque, R/o.Rayachoty, Kadapa District.
- 7 Shahul Hameed, S/o. Not Known, Occ: Member, Shahi Jamia Mosque, R/o. Rayachoty, Kadapa District.
- 8 Basher, S/o. Not Known, Occ: Member, Shahi Jamia Mosque, R/o.Rayachoty, Kadapa District.
- 9 Jakriya, S/o. Not Known, Occ: Member, Shahi Jamia Mosque, R/o.Rayachoty, Kadapa District.

.....Respondents

WHEREAS the Petitioner above named through his Advocate Sri V.R. REDDY KOVVURI presented this writ 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 to issue an appropriate Writ, Order or direction more particularly one in the nature of Writ of Mandamus declaring the inaction on the part of the respondent No.5 in taking action against the respondent No.6 to 9 from interfering with the construction activities being carried out for the school children, Government High School, Rayachoty, Rayachoty Mandal, Y.S.R. District, as arbitrary, illegal and abdication of the statutory duty cast on him and violative of the fundamental rights guaranteed to the petitioner under Articles 14, 19 and 21 and of the Constitution of India and Consequently direct the respondent No.5 to take action on the complaint, dated 24-02-2015 and take action against the respondent No.6 and 9 in preventing from the construction of the Class Rooms for the students of the Government High School, Rayachoty, Rayachoty Mandal, Y.S.R. District;

AND WHEREAS the High Court upon perusing the petition and affidavit filed herein and upon hearing the arguments of Sri V.R. Reddy Kovvuri, Advocate for the Petitioner, G.P. for Revenue (AP), who takes notice for Respondent Nos.1, 2 and 4 and G.P. for Home (AP), who takes notice on behalf of Respondent Nos.3 and 5, 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 the Writ Petition;

You viz ;

- 1 The Principal Secretary, Revenue Department, State of Andhra Pradesh, Secretariat Buildings, Hyderabad.
- 2 The District Collector, Y.S.R. District, Kadapa.
- 3 The Superintendent of Police, Y.S.R. District, Kadapa.
- 4 The Thasildar, Rayachoty, Rayachoty Mandal, Y.S.R. District.
- 5 The Circle Inspector, Rayachoty, Rayachoty Mandal, Y.S.R. District.
- 6 S.A. Gaffoor, S/o. Sri Late Mohiddin, Occ: Secretary of Managing Committee, Shahi Jamia Mosque, R/o. Rayachoty, Kadapa District.
- 7 Shahul Hameed, Occ: Member, Shahi Jamia Mosque, R/o. Rayachoty, Kadapa District.
- 8 Basher, Occ: Member, Shahi Jamia Mosque, R/o. Rayachoty, Kadapa District.
- 9 Jakriya, Occ: Member, Shahi Jamia Mosque, R/o. Rayachoty, Kadapa 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.

THE COURT MADE THE FOLLOWING ORDER:

Notice before admission.

Learned Govt. Pleader for Home takes notice on behalf of respondents 3 and 5. Govt. Pleader for Revenue takes notice for respondents 1, 2 and 4. Petitioners shall issue personal notice to respondents 6 to 9 and file proof of service. Petitioner's counsel shall also take steps to implead the Education Department of the State as a party to this writ petition in view of the fact that the petitioner claims to be a head-master of a Government High School which intends to take constructions in Ac.12.51 cents in Sy.No.693 of Rayachoty Town, Kadapa District. This writ petition is similar to the earlier writ petition No.22684 of 2009 pending before this Court relating to the same subject matter arising out of a dispute somewhat similar to the present controversy wherein interim orders were passed earlier and they were later vacated by subsequent order dated 02.12.2009. It is also brought to the notice of the Court that the said writ petition was heard yesterday and report from the District Collector with regard to the status of the land was called for.

In these circumstances, I deem it appropriate that this writ petition be heard along with W.P.No.22684 of 2009.

Registry is therefore directed to seek appropriate direction from the Hon'ble the Chief Justice for listing of both the writ petitions together.

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, Y.S.R. District, Kadapa.
 - 3 The Superintendent of Police, Y.S.R. District, Kadapa.
 - 4 The Thasildar, Rayachoty, Rayachoty Mandal, Y.S.R. District.
 - 5 The Circle Inspector, Rayachoty, Rayachoty Mandal, Y.S.R. District.
 - 6 S.A. Gaffoor, S/o. Sri Late Mohiddin, Occ: Secretary of Managing Committee, Shahi Jamia Mosque, R/o. Rayachoty, Kadapa District.
 - 7 Shahul Hameed, Occ: Member, Shahi Jamia Mosque, R/o. Rayachoty, Kadapa District.
 - 8 Basher, Occ: Member, Shahi Jamia Mosque, R/o. Rayachoty, Kadapa District.
 - 9 Jakriya, Occ: Member, Shahi Jamia Mosque, R/o. Rayachoty, Kadapa District.
- (Addressees 1 to 9 BY RPAD along with a copy of petition and affidavit)**
- 10 The Section Officer, WP (Non-Service) Section, High Court at Hyderabad.
 - 11 One CC to Sri V.R. Reddy Kovvuri, Advocate (OPUC)
 - 12 Two CCs to the G.P. for Revenue (AP), High Court, Hyderabad. (OUT)
 - 13 Two CCs to the G.P. for Home (AP), High Court, Hyderabad. (OUT)
 - 14 One Spare Copy.
- nnr

HIGH COURT

VVA,J

DATE: 03-03-2015

NOTICE BEFORE ADMISSION

W.P.NO. 5016 OF 2015

DIRECTION

HIGH COURT

Nnr

Date of Drafting : 07-03-2015

VVA,J

DATE: 03-03-2015

NOTICE BEFORE ADMISSION

W.P.NO. 5016 OF 2015

DIRECTION