

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

MONDAY, THE TWENTY THIRD DAY OF MARCH,
TWO THOUSAND AND FIFTEEN

:PRESENT:

THE HON'BLE SRI JUSTICE: A.RAJASHEKER REDDY

WP .NO:4581 of 2015

Between:

Maturi Venkateswara Rao, S/o. late Subramanyam,

..... Petitioner

AND

1. State of Andhra Pradesh Rep. by its Principal Secretary, Panchayath Raj Department, Secretariat, Hyderabad.
2. The District Collector, Eluru, West Godavari District.
3. The Dist. Panchayat Officer, Eluru, West Godavari District.
4. The G. Kothapalli Gram Panchayat, Dwaraka Tirumala Mandal, West Godavari District. Rep. by its Secretary

.....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 to issue an appropriate Writ, Order or direction more particularly one in the nature of Writ of Mandamus declaring the action of Respondent No. 4 in not receiving and adjudicating the appeal filed by the petitioner under Section 128 of the Panchayath Raj Act, 1994 against proceedings dated 13-02-2015 issued by the Respondent No. 4 directing the petitioner to remove the Tobacco Barren belongs to the Petitioner situated at G. Kothapalli Village, Dwaraka Tirumala Mandal, West Godavari District within 3 days as arbitrary, illegal, unjustified and in violation of the provisions of A.P. Gram Panchayat Raj Act, 1994 and consequently direct the Respondent No. 4 to receive and adjudicate the appeal filed by the petitioner under Section 128 of AP Panchayat Raj Act, 1994 against the proceedings dated 13-02-2015;

WP.MP. No. 6072 of 2015: Petition under Section 151 of C.P.C., praying that in the circumstances stated in the affidavit filed in the W.P. the High Court may be pleased to stay all further proceedings pursuant to the Notice dated 13-02-2015 including the demolition of Tobacco Barren belongs to the petitioner situated at R.S. No. 86/3B G. Kothapalli Village, Dwaraka Tirumala Mandal, West Godavari District, pending disposal of WP No. 4581 of 2015 on the file of the High Court.

The petition coming on for hearing, upon perusing the Petition and the affidavit filed herein and order of the High Court dated 27-02-2015, 10-03-2015 & 17-03-2015 made herein and upon hearing the arguments of Sri K. Lakshman, Advocate for the Petitioner, GP for Panchayat Raj (AP) for Respondent No.1, and Sri Ravi Cheemalapati, Standing counsel for 4th respondent, the Court made the following.

ORDER:

Sri Ravi Cheemalapati, learned standing counsel for 4th respondent seeks time to get instructions as to the appeal filed against impugned order under Section 128 of A.P. Panchayat

Raj Act.

Post after one week in motion Isit.

Interim order granted earlier shall stands extended till then.

//TRUE COPY//

ASSISTANT REGISTRAR

For ASSISTANT REGISTRAR

To

1. Two CCs to GP for Panchayat Raj (AP), High Court, Hyderabad (OUT)
2. One CC to Sri K. Lakshman, Advocate (OPUC)
3. One spare copy

Tvr

HIGH COURT

ARR,J

DATE: 23-03-2015

NOTE: post after one week in motion list

ORDER

WP. No. 4581 of 2015

STATUS QUO EXTENDED

DRAFTED: TVR
DATED; 25-03-2015

HIGH COURT

ARR,J

DATE: 23-03-2015

NOTE: post after one week in motion list

ORDER

WP. No. 4581 of 2015

STATUS QUO EXTENDED