

(SHOW CAUSE NOTICE BEFORE ADMISSION)  
HIGH COURT OF ANDHRA PRADESH  
(Special Original Jurisdiction)

TUESDAY, FIFTH DAY OF MAY, TWO THOUSAND AND TWENTY

:PRESENT:

THE HONOURABLE THE CHIEF JUSTICE SRI JITENDRA KUMAR MAHESHWARI  
AND  
THE HONOURABLE SMT. JUSTICE LALITHA KANNEGANTI  
W.P. (PIL) No. 110 of 2020

Between :-

SuryadevaraVenkataRao S/o. Suryadevara Subhashchandra Bose, Aged 48 years R/o. 3-112, Angalakuduru, Guntur District, A.P.-522211 Mobile No: 9490644544 e-mail: venkatarasuryadevara999@gmail.com Aadhar Card No.253130156314 Pan Card No. CIXPS3568Q Bank A/C No. 62385135879 State Bank Of India, Angalakuduru-Koopalle Branch.

... Petitioner

And

1. State of Andhra Pradesh rep. by it's Principal Secretary, Panchayat Raj Department, Secretariat VelagapudiAmaravathi Guntur District Andhra Pradesh
2. Chief Secretary to Government of Andhra Pradesh,
3. The Commissioner Panchayat Raj & Rural Development, #12-47, P V S ICON, near Patur cross road, Tadepalli, Guntur
4. The State Election Commissioner, Andhra Pradesh, 1<sup>st</sup> floor, nets HOD's building, Opp. Indira Gandhi Municipal Stadium, M.G. Road, Vijayawada-520010

...Respondents

WHEREAS the petitioner above named through his Advocate SRI C.Panini Somayaji, 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 an order, direction or writ, mare particularly one in the nature of Writ of Mandamus to declare the G.O.MS. No. 623 dated 23.04.2020 issued by the Respondent No. 1 directing its Officers to paint the Village Panchayat Office buildings / sachivalayams with the colours mentioned therein which are akin to ruling Y.S.R.C party flag as unconstitutional, illegal, evil practice and contrary to the Representatives of the People Act, 1951 as well as orders in W.P. (PIL) No 177 of 2019 and 18 of 2020 dated 10.03.2020 and consequently quash the G.O. MS. No. 623 dated 23.04.2020 issued by the Respondents.

AND WHEREAS the High Court upon perusing the petition and affidavit filed herein and upon hearing the arguments of Sri C.Panini Somayaji, Advocate for the petitioner, of Additional Advocate General for respondents No. 1 to 3, **directed issue of notice to Respondent No.4, by way of e-mail informing to file counter-affidavit by the next date of listing**, to show cause as to why this PUBLIC INTEREST LITIGATION should not be admitted.

You viz:

The State Election Commissioner, Andhra Pradesh, 1<sup>st</sup> floor, nets HOD's building, Opp. Indira Gandhi Municipal Stadium, M.G. Road, Vijayawada-520010

are directed to show cause either appearing in person or through an Advocate, as to why in the circumstances set out in the petition and the affidavit filed therewith (copy enclosed) this WRIT PETITION (PIL) should not be admitted before 20.05.2020, on which date the case stands posted for hearing.

**IA NO: 1 OF 2020**

Petition under Section 151 CPC praying that in the circumstances stated in the affidavit filed in support of the writ petition, the High Court may be pleased to stay all further proceedings in pursuance of the impugned G.O.MS. No. 623, Dated 23.04.2020 issued by the government of Andhra Pradesh, pending disposal of WP(PIL) 110 of 2020, on the file of the High Court.

**IA NO: 2 OF 2020**

Petition under Section 151 CPC praying that in the circumstances stated in the affidavit filed in support of the writ petition, the High Court may be pleased to frame guidelines so that the Exchequer is not burdened with the costs / expenses to be incurred for the removal of the paints made on the Government buildings illegally boosting the image of the ruling party.

**THE COURT MADE THE FOLLOWING ORDER:**

"Sri C.Panini Somayaji, learned counsel appears on behalf of the petitioner.  
Learned Additional Advocate General accepts notice on behalf of respondent Nos.1 to 3.

Let the Registry send notice to respondent No.4 - State Election Commissioner, by way of e-mail today informing to file counter-affidavit by the next date of listing.

The Chief Secretary to the State Government shall apprise on the next date of listing as to why contempt proceedings be not initiated against her separately for non-compliance of the directions issued in W.P.(PIL)Nos.177 of 2019 and 18 of 2020, vide orders, dated 10.03.2020.

It is to be noted here that S.L.P.Nos.6384 and 6385 of 2020 filed against the aforesaid orders passed in W.P.(PIL)Nos.177 of 2019 and 18 of 2020 have been dismissed on 23.03.2020.

As per the directions in the orders, dated 10.03.2020, the colours of the flags and offices of the political parties should not be used for painting the buildings and other properties belonging to the Government as well as local bodies and authorities. But, looking to G.O.No.623, Panchayat Raj & Rural Development (MDL-I) Department, dated 23.04.2020, it reveals that apart from the colour of 'Terra Cotta', the other colours i.e., Green, Blue and White, which were earlier existing on the Government properties, questioning which earlier cases were filed, have also been selected for painting the Panchayat and Government buildings. Therefore, in the counter-affidavit to be filed, the Chief Secretary to the State Government shall explain as to how she justifies the aforesaid action and as to why separate contempt proceedings be not initiated against her for non-compliance of the directions issued in the orders, dated 10.03.2020, in W.P.(PIL) Nos.177 of 2019 and 18 of 2020.

Let counter-affidavit be filed by respondent No.4 by 19.05.2020.

List the case on 20.05.2020.

Until the next date of listing, implementation of the aforesaid G.O. i.e., G.O.Ms.No.623, Panchayat Raj & Rural Development (MDL-I) Department, dated 23.04.2020 as well as memo, dated 24.04.2020, shall remain suspended, including implementation thereof.

SD/- K.KMESWARA RAO  
ASSISTANT REGISTRAR

//TRUE COPY//

For ASSISTANT REGISTRAR

To

1. The Principal Secretary, Panchayat Raj Department, State of Andhra Pradesh, Secretariat of A.P., Velagapudi, Amaravathi, Guntur District.
2. The Chief Secretary, State of Andhra Pradesh, Secretariat of A.P., Velagapudi, Amaravathi, Guntur District.
3. The Commissioner Panchayat Raj & Rural Development, #12-47, P V S ICON, near Patur cross road, Tadepalli, Guntur.
4. The State Election Commissioner, Andhra Pradesh, 1<sup>st</sup> floor, nets HOD's building, Opp. Indira Gandhi Municipal Stadium, M.G. Road, Vijayawada-520010 (by RPAD / E-Mail- along with a copy of petition and affidavit)
5. The Registrar (Judicial), High Court of A.P. (for perusal and necessary action)
6. One CC to Sri C.Panini Somayaji, Advocate (OPUC)
7. Two CC's to Advocate General, High Court of A.P. (OUT)
8. Two CC's to GP for Panchayat Raj, High Court of Andhra Pradesh (OUT)
9. Two spare copies.

MSR

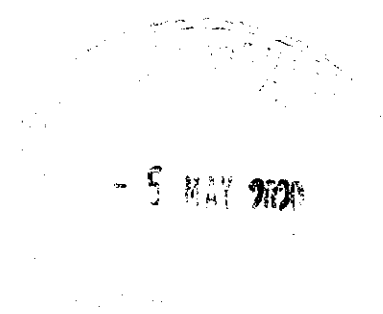
**HIGH COURT**

**HCJ & LKJ**

**DATED: 05.05.2020**

**NOTE: LIST THE CASE on 20.05.2020**

**NOTICE BEFORE ADMISSION**



**WP(PIL).No. 110 of 2020**

**DIRECTION**