



(SHOW CAUSE NOTICE BEFORE ADMISSION)
IN THE HIGH COURT OF ANDHRA PRADESH AT AMARAVATHI
(SPECIAL ORIGINAL JURISDICTION)

THURSDAY, THE TWELFTH DAY OF FEBRUARY,
TWO THOUSAND AND TWENTY SIX

:PRESENT:

THE HONOURABLE SRI JUSTICE NYAPATHY VIJAY
WRIT PETITION NO: 3680 OF 2026

Between:

Chinnam Rama Rao, S/o Late Durga Rao, Age 60 years, Occ: Agriculture,
R/o Rowthugudem Village, Jeelugumilli Mandal, Eluru District, Pin Code
534 456.

...Petitioner

AND

1. The State of Andhra Pradesh, Rep. by its Principal Secretary, Tribal Welfare Department, Secretariat, Velagapudi, Guntur District Pin Code 522 238.
2. The Additional Agent to the Government, Kotaramachandrapuram, Eluru District, Pin Code 534 311.
3. The Special Deputy Collector, Tribal Welfare, Polavaram, Eluru District, Pin Code 534 315.
4. The Tahsildar, Jeelugumilla Mandal, Eluru District, Pin Code 534 315.
5. The Special Deputy Tahsildar, (Tribal Welfare), Polavaram, Eluru District, Pin Code 534 315.

...Respondents

WHEREAS the Petitioner above named through his Advocate Sri K.VENKATESH presented this Petition under Article 226 of the Constitution of India is filed praying that in the circumstances stated in the

affidavit filed therewith, the High Court may be pleased to issue order or direction more particularly one in the nature of Writ of MANDAMUS declaring the proceedings initiated by the 2nd respondent vide S.R.A.No.62/2005 against the order made in S.R.A.No.18/2016 on the file of the 3rd respondent under the provisions of the AP Schedule Area Land Transfer Regulations as wholly illegal, arbitrary and unjust and contrary to various decisions of this Honble Court and consequently set aside the proceedings in S.R.A.No.62/2025 on the file of the 2nd respondent, in the interest of Justice;

AND WHEREAS the High Court upon perusing the petition and affidavit filed herein and upon hearing the arguments of Sri K.Venkatesh, Advocate for the Petitioner and GP for Tribal Welfare for Respondent Nos.1 to 3, directed issue of notice to the Respondents herein to show cause as to why this WRIT PETITION should not be admitted.

You viz:

1. The Principal Secretary, State of Andhra Pradesh, Tribal Welfare Department, Secretariat, Velagapudi, Guntur District Pin Code 522 238.
2. The Additional Agent to the Government, Kotaramachandrapuram, Eluru District, Pin Code 534 311.
3. The Special Deputy Collector, Tribal Welfare, Polavaram, Eluru District, Pin Code 534 315.
4. The Tahsildar, Jeelugumilla Mandal, Eluru District, Pin Code 534 315.
5. The Special Deputy Tahsildar, (Tribal Welfare), Polavaram, Eluru District, Pin Code 534 315.

are be and hereby 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

should not be admitted on or before 12.03.2026 for which date the case stands posted for hearing;

IA NO: 1 OF 2026:

Petition under Section 151 CPC is filed praying that in the circumstances stated in the affidavit filed in support of the writ petition, the High Court may be pleased to stay of all further proceedings in S.R.A.No.62/2025 on the file of the 2nd respondent, pending disposal of WP No.3680 of 2026, on the file of the High Court.

The Court made the following:

ORDER:

Notice before admission, returnable in four weeks.

This writ petition is filed questioning the appeal being entertained by Respondent No.2 vide S.R.A.No.62 of 2005 against the order in S.R.A.No.18 of 2016 as illegal and arbitrary.

The Petitioner is owner and possessor of land to an extent of Ac.1.86 cents in L.P.No.210 situated at Mulagalampalli Village, Jeelugumilli Mandal, Eluru District having purchased the same on 07.08.1968 from Malladi Satyanarayana for a valid consideration. A complaint was registered against the Petitioner with regard to his right of the property vide S.R.No.84 of 2005 by Respondent No.5. After due enquiry under the A.P.Schedule Areas Land Transfer Regulations, order was passed on 07.03.2007 holding that there is no contravention of the provisions of the Land Transfer Regulations and the same has attained finality.

While so, Respondent No.5 again initiated proceedings vide S.R.No.18 of 2016 against the Petitioner with regard to the very same issue though Respondent No.5 did not have any jurisdiction to re-examine the same suo motu in the absence of complaint by any other individual framing right over the property. After due enquiry,

S.R.No.18 of 2016 was dismissed on 27.10.2023 validating the right of the Petitioner to be in possession of the property referred above. While so, Respondent No.2 ordered notice in S.R.A.No.62 of 2025 filed against the order in S.R.No.18 of 2016. Hence, the present writ petition is filed.

Learned counsel for the Petitioner submits that once the order in S.R.No.84 of 2005 had attained finality, the re-initiation of enquiry vide S.R.No.18 of 2016 is per se unsustainable as per the orders of Division Bench of this Court in *Chintalapati Ramalinga Raju v. District Collector, Eluru and another* 2000 (4) ALD 443 and the judgment of Coordinate Bench of this Court in *Damera Chittemma v. Special Deputy Collector (Tribunal Welfare), Bhadrachalam and others* (2013 3 ALD 402).

The further contention of the Petitioner is that there is no power available to the appellate authority to take up the appeal *suo motu* and therefore, contends that the impugned proceedings cannot be sustained.

Learned Assistant Government Pleader seeks time to get instructions.

Heard learned counsel for both the parties.

As the right and possession of the Petitioner regarding property in question was validated vide orders in S.R.No.84 of 2005 dated 07.03.2007 and in S.R.No.18 of 2016 dated 27.10.2023, the *suo motu* appeal by Respondent No.2, *prima facie*, is in excess of the power conferred under the regulations.

Therefore, there shall be an interim suspension of the Proceedings of Respondent No.2, pending further orders.

List on 12.03.2026.

Sd/-U.SRIDEVI
DEPUTY REGISTRAR

//TRUE COPY//

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SECTION OFFICER

To,

1. The Principal Secretary, State of Andhra Pradesh, Tribal Welfare Department, Secretariat, Velagapudi, Guntur District Pin Code 522 238. (by **Special Messenger**)
2. The Additional Agent to the Government, Kotaramachandrapuram, Eluru District, Pin Code 534 311.
3. The Special Deputy Collector, Tribal Welfare, Polavaram, Eluru District, Pin Code 534 315.
4. The Tahsildar, Jeelugumilla Mandal, Eluru District, Pin Code 534 315.
5. The Special Deputy Tahsildar, (Tribal Welfare), Polavaram, Eluru District, Pin Code 534 315. (Addressee Nos.2 to 5 by **RPAD-** along with a copy of petition and affidavit)
6. One CC to Sri. K.Venkatesh, Advocate [OPUC]
7. Two CCs to GP for Social Welfare, High Court of Andhra Pradesh. [OUT]
8. One spare copy

HIGH COURT

VN,J

DATED:12/02/2026

LIST ON 12.03.2026

NOTICE BEFORE ADMISSION

WP.No.3680 of 2026

INTERIM SUSPENSION

