



**IN THE HIGH COURT OF ANDHRA PRADESH
AT AMARAVATI
(Special Original Jurisdiction)**

**TUESDAY, THE ELEVENTH DAY OF NOVEMBER
TWO THOUSAND AND TWENTY FIVE**

**PRESENT
THE HONOURABLE SRI JUSTICE NINALA JAYASURYA**

WRIT PETITION No.2766 OF 2018

Between:

1. Syed Khaja Hamiduddin, S/o.Syed Ghouse Mohiuddin, aged about 35 years, Resident of D.No.12/243-3, Potti Sreeramulu Veedhi, Kadapa, YSR Kadapa District, Andhra Pradesh, and others

...Petitioners

AND

1. State of Andhra Pradesh, Rep. by its Principal Secretary, Revenue Department, State Secretariat Buildings, Velagapudi, Guntur District, Andhra Pradesh, and others.

...Respondents

Counsel for the Petitioners : Mr.A.Srinath

Counsel for the Respondents: G.P. for Revenue

The Court made the following ORDER:

The writ petition is filed alleging interference with the peaceful possession and enjoyment of the petitioners' in respect of the subject matter land situated in Survey No.59/B1B1 of Kadapa City by the respondent Nos.3 and 4, without invocation of any law or notice under any relevant legislation.

2. The learned counsel for the petitioners appearing through online made submissions with reference to the averments made in the affidavit filed in support of the writ petition. According to his submissions, the petitioners are the owners of Ac.0.23 cents, Ac.0.08 cents and Ac.0.07

cents of land situated in Survey No.59/B1B1 of Kadapa City and the relevant sale deeds evidencing their ownership are filed along with the writ petition. He submits that as the unofficial respondents are trying to interfere with the petitioners' peaceful possession and enjoyment of the land, the petitioners were constrained to file civil suits and interim injunction was granted in their favour. He submits that in the said circumstances, the unofficial respondents approached the respondent Authorities and as they are trying to interfere with the petitioners' possession and enjoyment, the present writ petition is filed. The learned counsel has drawn the attention of this Court to the order dated 15.2.2018 and submits that any action on the part of the respondent Authorities in respect of the private land of the petitioners is wholly unsustainable in law.

3. On the other hand, Mr.K.Arjun Chowdary, learned Assistant Government Pleader made submissions with reference to the assertions made in the counter affidavit filed by respondent No.3. He submits that the entire extent of Survey No.59/3 of Kadapa Sahar is classified as water spread area and notified under Section 22A(1)(a) of the Registration Act. He further submits that survey No.59/B1B1 was formed out of survey No.59/3 and the land in survey No.59/B1B1 is not a patta land. He also submits that no reply affidavit is filed to the averments made in the counter affidavit. He states that in order to protect encroachments in tank porambokes, kunta porambokes and water spread areas/lands, the Authorities sought to initiate action against the petitioners and at that juncture, they filed the present writ petition and obtained the orders dated 15.2.2018. He, however, submits that no latest instructions are available as to whether any action was taken by the respondent Authorities by issuing notices under the relevant enactments.

4. Considering the submissions made by the learned counsel on both sides and in view of the interim order dated 15.2.2018 directing the respondents not to interfere with the subject matter land without following due process of law, this Court deems it appropriate to dispose of the writ petition, with a direction to the respondent Authorities not to take any coercive action in respect of the subject matter land without following due process of law.

5. With the above directions, the writ petition is disposed of. No order as to costs. Miscellaneous petitions pending, if any, shall stand closed.

NINALA JAYASURYA,J

November 11, 2025.

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