



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

[3233]

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

PRESENT

THE HONOURABLE SRI JUSTICE B KRISHNA MOHAN

WRIT PETITION NO: 4155/2026

Between:

1. KUNJAM DHANA LAKSHMI,, W/O. CHINTALAWADA PRASAD REDDY, AGED ABOUT 42 YEARS, FEMALE, BUSINESS, R/O. RAMPACHODAVARAM, RAMPACHODAVARAM MANDAL POLAVARAM DISTRICT-533288.
2. KARAM DURGA PRASAD ALIAS KARAM DURGA PRASAD DORA, S/O. VENKANNA DORA, AGED ABOUT 24 YEARS, MALE, BUSINESS, R/O. RAMPACHODAVARAM MANDAL, POLAVARAM DISTRICT-533288.
3. PATHIVADA GANGADHAR,, S/O. RAMANA, AGED ABOUT 40 YEARS, MALE, BUSINESS, R/O. RAMPACHODAVARAM, RAMPACHODAVARAM MANDAL, POLAVARAM DISTRICT-533288

...PETITIONER(S)

AND

1. THE STATE OF ANDHRA PRADESH, REP. BY ITS PRINCIPAL SECRETARY, REVENUE DEPARTMENT, SECRETARIAT, AMARAVATI-522237.
2. THE DISTRICT COLLECTOR, POLAVARAM DISTRICT, AT RAMPACHODAVARAM-533288.
3. THE TAHSILDAR, RAMPACHODAVARAM RAMPACHODAVARAM MANDAL, POLAVARAM DISTRICT-533288.

...RESPONDENT(S):

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 topleased to issue a Writ Order or direction particularly, one in the nature of a WRIT OF MANDAMUS to quash the impugned eviction notices bearing Roc. 01/2026(A) Dt. 29-01-2026 issued against the petitioners under Sections 6 and 7 of the Andhra Pradesh Land Encroachment Act, 1905 by the 3rd Respondent/ Tahsildar to evict them from their land to an extent of Ac. 0.02 cents and Ac 0.07 cents respectively situated in the Grama Kantam bearing Sy. No. 124 of Rampachodavaram village, Rampachodavaram Mandal, Polavaram District in violation of G.O.Ms.No.187 Revenue (ASSN.I) Department Dt. 27-05-2015 and also in violation of judgment of the high court of Andhra Pradesh in the case of Smt. Sagadapu Vijaya v. State of Andhra Pradesh as the same were illegal, arbitrary, discriminatory, ultra virus, without authority of law, unreasonable, unjust, without application of mind and violative of Articles 14 and 21 of the Constitution of India and consequently restrain the Respondents from interfering with the Petitioners peaceful possession and business activities and Pass

IA NO: 1 OF 2026

Petition under Section 151 CPC praying that in the circumstances stated in the affidavit filed in support of the petition, the High Court may be pleased to stay all further proceedings in furtherance of the impugned eviction notices bearing Roc.01/2026(A) Dt. 29-01-2026 issued against the petitioners under Sections 6 & 7 of the Andhra Pradesh Land Encroachment Act, 1905 by the 3rd Respondent/ Tahsildar to evict them from their land to an extent of Ac. 0.02 cents and Ac 0.07 cents respectively situated in the Grama Kantam bearing Sy. No. 124 of Rampachodavaram village, Rampachodavaram Mandal, Polavaram District in violation of G.O.Ms.No.187 Revenue (ASSN.I) Department Dt. 27-05-2015 and also in violation of judgment of the high court of Andhra Pradesh in the case of Smt. Sagadapu Vijaya v. State of Andhra Pradesh pending disposal of the main Writ Petition and pass

Counsel for the Petitioner(S):

1.KOTHA NAGA SURYA RAO

Counsel for the Respondent(S):

1.GP FOR REVENUE

The Court made the following Order:

Heard the learned counsel for the petitioners and the learned Assistant Government Pleader for Revenue appearing for the respondents.

2. This writ petition is filed questioning the notices issued by the 3rd respondent dated 29.01.2026 against the petitioners under Section 7 of the Andhra Pradesh Land Encroachment Act III, 1905 to evict them from their lands to an extent of Ac.0.02 cents and Ac.0.07 cents respectively situated in the Gramakantam bearing Sy.No.124 of Rampachodavaram Village, Rampachodavaram Mandal, Polavaram District in violation of G.O.Ms.No.187 Revenue (ASSN.I) Department dated 27.05.2015.

3. The learned counsel for the petitioners submits that the 3rd respondent issued two impugned notices dated 29.01.2026 to the petitioners under Section 7 of the Andhra Pradesh Land Encroachment Act III of 1905 alleging that the petitioners occupied an extent of Ac.0.02 cents and Ac.0.07 cents in Sy.No.124 of Rampachodavaram Village by constructing AC sheet sheds. For which, the petitioners submitted their explanations dated 05.02.2026.

4. He further refers to the adangal report dated 09.02.2026 to show that the Sy.No.124 to an extent of Ac.0.91 cents is classified as Gramakantam. He further refers to the G.O.Ms.No.187 dated 27.05.2015 of the Government of Andhra Pradesh to show that the Gramakantam lands are withdrawn from the purview of 22-A of the Registration Act, 1908. He also refers to the

decision of the erstwhile High Court in W.P.No.9093 of 2015 dated 02.04.2015 and the order in W.P.No.23666 of 2023 of this Court dated 01.12.2023.

5. On the other hand, the learned Assistant Government Pleader appearing for the respondents submits that the explanations submitted by the petitioners to the above said notices of the 3rd respondent dated 29.01.2026 will be considered by following the due procedure by the 3rd respondent and the petitioners can raise valid objections, both on facts and the legal position.

6. In view of the above said facts and circumstances, the petitioners are permitted to submit their additional explanations, if any, in continuation of the earlier explanations dated 05.02.2026, enclosing all the necessary documents in support of their claim to the above said notices of the 3rd respondent dated 29.01.2026 within a period of four (04) weeks from the date of receipt of this order. On receipt of such additional explanations, if any, from the petitioners, the 3rd respondent is directed to proceed with the necessary enquiry, pursuant to the above said notices dated 29.01.2026 strictly in accordance with law by hearing all the parties concerned, including the petitioners, giving due opportunity, upon verification of the records and the subject lands, appropriate decision shall be taken on its own merits as expeditiously as possible, preferably within a period of three (03) months thereafter. Pending the above said enquiry, there shall be an order of *status quo* as on today to be maintained with respect to the subject lands as detailed in the above said

notices of the 3rd respondent dated 29.01.2026 to the extent of encroachments alleged.

7. Accordingly, this Writ Petition is disposed of. Interim order if any deemed to have been vacated. There shall be no order as to costs.

As a sequel, Interlocutory Applications pending, if any, shall stand closed.

JUSTICE B. KRISHNA MOHAN

12.02.2026
PGT