



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

[3233]

MONDAY, THE SIXTEENTH DAY OF FEBRUARY
TWO THOUSAND AND TWENTY SIX

PRESENT

THE HONOURABLE SRI JUSTICE B KRISHNA MOHAN

WRIT PETITION NO: 4396/2026

Between:

1. KURAKULA SRINIVASA RAO, S/O. LATE GADDIYYA, AGED ABOUT 46 YEARS, OCC CULTIVATION, R/O. TADIKALAPUDI VILLAGE, KAMAVARAPUKOTA MANDAL, ELURU DISTRICT, PIN CODE - 534452.
2. ALLA RANGA RAO, S/O. KRISHNAIAH, AGED ABOUT 62 YEARS, OCC CULTIVATION, R/O. TADIKALAPUDI VILLAGE, KAMAVARAPUKOTA MANDAL ELURU DISTRICT, PIN CODE - 534452.

...PETITIONER(S)

AND

1. THE STATE OF ANDHRA PRADESH, REP. BY ITS PRINCIPAL SECRETARY, REVENUE DEPARTMENT SECRETARIAT, VELAGAPUDI, AMARAVATI, GUNTUR DISTRICT, PIN CODE - 522238.
2. THE JOINT COLLECTOR, ELURU DISTRICT AT ELURU - 534006.
3. THE REVENUE DIVISIONAL OFFICER, JANGAREDDYGUDEM REVENUE DIVISION, JANGAREDDYGUDEM, ELURU DISTRICT - 534447.
4. THE TAHSILDAR, KAMAVARAPUKOTA MANDAL, ELURU DISTRICT, PIN CODE - 534452.

...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 to issue a writ, order or direction more particularly one in the nature of WRIT OF MANDAMUS declaring the order dated 23.01.2026 passed by the 2nd respondent in Roc.No.E1/e- 656764/2017 and the consequent eviction notices dated 29.01.2026 issued by the 4 respondent as illegal, arbitrary, without jurisdiction, barred by limitation, violative of principles of natural justice and the provisions of the Andhra Pradesh Assigned Lands (Prohibition of Transfers) Act, 1977 and offends Articles 14, 21 and 300-A of the Constitution of India and consequently direct the respondents not to interfere with the petitioners peaceful possession and enjoyment of the lands admeasuring Ac.3.58 cents belonged to 1st petitioner and Ac.1.98 cents belonged to 2nd petitioner in Sy.Nos. 1475/2, 1474/7 and 1475/3 of Tadikalapudi Village, Kamavarapukota Mandal, Eluru District 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 suspend the operation of the order dated 23.01.2026 passed by the 2nd respondent and the eviction notices dated 29.01.2026 issued by the 4th respondent and consequently direct the respondents not to dispossess the petitioners from their lands of Ac 3.58 cents and Ac 1.98 cents respectively belonged to petitioners 1 and 2 covered by survey numbers 1475/2, 1474/7 & 1475/3 of Tadikalapudi Village, Kamavarapukota Mandal, Eluru District pending disposal of the main Writ Petition and pass

Counsel for the Petitioner(S):

1. SITA RAM CHAPARLA

Counsel for the Respondent(S):

1. GP FOR ASSIGNMENT

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 order dated 23.01.2026 passed by the 2nd respondent and the consequential eviction notices dated 29.01.2026 issued by the 4th respondent.

3. The 2nd respondent passed the above said order dated 23.01.2026 on the petition filed by one Smt. Konudula Vijaya, W/o. Nageswar Rao, who is not a party respondent in this writ petition. She filed the above said petition before the said authority against the 4th respondent herein and the petitioners herein, showing them as respondents therein. On hearing both the parties concerned, the 2nd respondent passed the order as under:-

"In view of the above, as the Revision Petitioner is not the resident of Tadikalapudi Village of Kamavarapukota Mandal, as she is residing at A. Gokavaram Village of Unguturu Mandal, also as she is not in the possession and enjoyment of the subject land, her request to restore the D-Form Patta in respect of the scheduled land cannot be considered by this Court under Assignment Rules.

The Revenue Divisional Officer, Jangareddygudem, and the Tahsildar, Kamavarapukota are hereby directed to resume the subject land and keep under safe custody of Government. Further, it is directed to conduct detailed enquiry into the present eligibility of the Respondent No.2 with respect to assignment of scheduled land subject to eligibility and to take appropriate action in accordance with the existing rules.

The Revenue Divisional Officer, Eluru and the Tahsildar, Unguturu are directed take necessary action with respect to fresh assignment of Government land to the Revision petitioner, subject to the eligibility of the Revision Petitioner and availability of Government land.

Accordingly, the Revision Petition is disposed of."

4. Under the said order, for restoration of D-form patta in respect of Smt. Konudula Vijaya, was rejected. The Revenue Divisional Officer, Jangareddygudem, and the Tahsildar, Kamavarapukota i.e., the respondent Nos.3 and 4 herein were directed to resume the subject land to keep under the safe custody of Government. Further, they were directed to conduct a detailed enquiry with respect to the present eligibility of the 2nd respondent therein/the 1st petitioner herein with respect to the assignment of the subject land/the scheduled land subject to the eligibility appropriate action shall be taken in accordance with the existing rules. While so, it is the case of the petitioners that to their utter surprise, the above said impugned notice was issued by the 4th respondent dated 29.01.2026 to vacate the subject land within 7 days from the date of receipt of the said notice.

5. The learned counsel for the petitioners submits that contrary to the observations made by the 2nd respondent in the above said order dated 23.01.2026, the impugned notice has been issued by the 4th respondent dated 29.01.2026.

6. On the other hand, the learned Assistant Government Pleader appearing for the respondents submits that since it is only a notice issued by the 4th respondent, the petitioners can submit their explanation and if so submitted, the same would be considered by following the due procedure.

7. In view of the above said facts and circumstances and upon consideration of the rival submissions made, the petitioners are permitted to

submit their explanation, enclosing all the necessary documents in support of their claim to the above said notice of the 4th respondent dated 29.01.2026 within a period of four (04) weeks from the date of receipt of this order. On receipt of such explanation from the petitioners, the 4th respondent can proceed with the necessary enquiry strictly in accordance with law, by hearing all the parties concerned, including the petitioners herein and the revision petitioner Smt. Konudula Vijaya, before the 2nd respondent, giving due opportunity, upon verification of the records and the subject land and the order passed by the 2nd respondent dated 23.01.2026, 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 land covered under the above said notice of the 4th respondent dated 29.01.2026.

8. 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

16.02.2026
PGT