

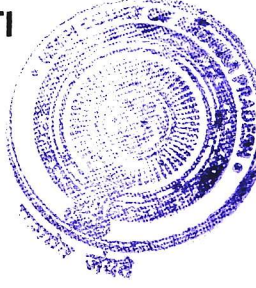
**IN THE HIGH COURT OF ANDHRA PRADESH AT AMARAVATI
(SPECIAL ORIGINAL JURISDICTION)**

**WEDNESDAY, THE EIGHTEENTH DAY OF FEBRUARY,
TWO THOUSAND AND TWENTY SIX**

:PRESENT:

THE HONOURABLE SRI JUSTICE B KRISHNA MOHAN

WRIT PETITION NO: 4738 OF 2026



Between:

Sri Elipe Nageswara Rao, S/o Saheb, aged about 55 years, Ex-Serviceman, R/o D.No.25-1-12-A, Bangalathota, Ramachandrapuram Town & Mandal, DR B R Ambedkar Konaseema District, Andhra Pradesh, 533 255.

...Petitioner

AND

1. The State of Andhra Pradesh, Represented by its Principal Secretary, [Revenue Department], Secretariat Buildings, Velagapudi, Guntur District, Andhra Pradesh-522 237.
2. The District Collector, Dr B R Ambedkar Konaseema District, Andhra Pradesh, 533 201.
3. The Revenue Divisional Officer, Ramachandrapuram, Dr B R Ambedkar Konaseema District, Andhra Pradesh, 533 255.
4. The Mandal Revenue Officer, Ramachandrapuram Mandal, Dr B R Ambedkar Konaseema District, Andhra Pradesh, 533 255.
5. The Mandal Surveyor, Ramachandrapuram Mandal, Dr B R Ambedkar Konaseema District, Andhra Pradesh, 533 255.
6. Sri Valluri Venkata Rao, S/o Appanna, aged: 50 Years, R/o Gandhipeta, 1st Street, Near Bulusu Function hall, Ramachandrapuram Town & Mandal, Dr B R Ambedkar Konaseema District, Andhra Pradesh - 533 255

...Respondents

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 a Writ, Order or Direction, more particularly one in the nature of WRIT OF MANDAMUS Declaring the action of the respondents 4 and 5 in attempting to demarcate the land in Sy.No. 544-1 of Ramachandrapuram Town & Mandal, classified as 'Road Poramboke', in favour of the 6th respondent, based on an alleged Land Possession Certificate in Ref (B) 687/2009/ Dated: 06.04.2009, as illegal, arbitrary, and also oppose to cannons of Justice Consequently, direct the respondents 2 to 5 to protect the 'Road Poramboke' land in Sy.No. 544-1 from illegal encroachment by the 6th respondent by removing any obstructions caused by him to the ingress and egress of the petitioner and the public

IA NO: 1 OF 2026

Petition under Section 151 of CPC is filed praying that in the circumstances stated in the affidavit filed in support of the petition, the High Court may be pleased to direct the respondents 2 to 5 to protect the 'Road Poramboke' land in Sy.No.544-1 from illegal encroachment by the 6th respondent by removing any obstructions caused by him to the ingress and egress of the petitioner and the public; pending disposal of WP 4738 of 2026, on the file of the High Court.

The petition coming on for hearing, upon perusing the Petition and the affidavit filed in support thereof and upon hearing the arguments of Sri V.Sai Kumar, Advocate for the Petitioner and of GP FOR REVENUE for Respondent Nos. 1 to 5, the Court made the following

ORDER:

“Heard the learned counsel for the petitioner.

The learned counsel for the petitioner is permitted to take out personal notice to the 6th respondent and proof of service shall be filed within a period of three (03) weeks from today.

The learned Assistant Government Pleader takes notice for respondent Nos.1 to 5, to file counter affidavit.

This writ petition is filed questioning the action of respondent Nos.4 and 5 in attempting to demarcate the land in Sy.No.544-1 of Ramachandrapuram Town and Mandal, classified as Road Poramboke, in favour of the 6th respondent based on an alleged possession certificate in Ref.(B) 687/2009 dated 06.04.2009.

The learned counsel for the petitioner submits that the petitioner purchased the land admeasuring Ac.0.13 ½ cents in Sy.No.545/4 situated in Ramachandrapuram Village under a registered sale deed dated 20.01.2007 with the boundaries:

East: Land of Karri Udaya Bhaskara Reddy;

West: Land of Bokka Samyulu and others;

North: Road;

South: Land of Putta Subba Rao.

Since then, the petitioner has been in possession and enjoyment of the same.

Insofar as the land admeasuring Ac.0.03 cents in Sy.No.544/1 is concerned, a temporary house site occupation certificate was issued by the 4th respondent dated 23.08.1985 in the name of Sri Alipee Satyanarayana, S/o. Saheb. However, the said encroacher or the petitioner claiming through him is not in possession and enjoyment of the said land. Subsequently, the 4th respondent issued a possession certificate in favour of the 6th respondent vide proceedings dated 06.04.2009 for an extent of Ac.0.02 ½ cents in Sy.No.544/1 of Ramachandrapuram Village with the boundaries:

East: Chinta Appareddy;

West: Elipe Nageswara Rao;

North: Main Road;

South: Boke Mangamma, hereinafter called as subject land.

For the purpose of demarcation of the land assigned to the 6th respondent, the 6th respondent sought conduct of survey and sub-division and accordingly, the 5th respondent issued survey notices dated

23.12.2025 and 13.02.2026, but so far no survey is conducted and no report is submitted.

The petitioner also gave a representation to the 2nd respondent dated 12.03.2007 stating that the petitioner is being deprived of access to the road by permitting the 6th respondent to have enjoyment and possession of the subject land. When it is a R&B site, the official respondents concerned ought not to have allowed the 6th respondent to continue in possession or to raise any construction over it, which may obstruct the petitioner's ingress and egress to his site covered under the above said sale deed. Hence, this writ petition.

The learned counsel for the petitioner also refers to the latest representation given to the 4th respondent dated 30.12.2025. He further submits that for conducting survey and submission of report, the petitioner has no objection.

In view of the above said facts and circumstances, so far as survey is concerned; the same shall go on in accordance with law, but there shall not be any construction over the subject land till the next date of hearing.

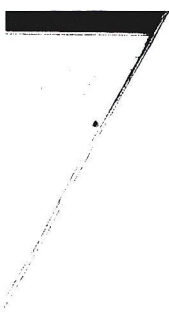
List on 18.03.2026."

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SD/-SK MD RAFI
DEPUTY REGISTRAR
SECTION OFFICER

To,

1. The Principal Secretary, [Revenue Department], State of Andhra Pradesh, Secretariat Buildings, Velagapudi, Guntur District, Andhra Pradesh-522 237.
2. The District Collector, Dr B R Ambedkar Konaseema District, Andhra Pradesh, 533 201.
3. The Revenue Divisional Officer, Ramachandrapuram, Dr B R Ambedkar Konaseema District, Andhra Pradesh, 533 255.

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4. The Mandal Revenue Officer, Ramachandrapuram Mandal, Dr B R Ambedkar Konaseema District, Andhra Pradesh, 533 255.
 5. The Mandal Surveyor, Ramachandrapuram Mandal, Dr B R Ambedkar Konaseema District, Andhra Pradesh, 533 255.
 6. Sri Valluri Venkata Rao, S/o Appanna, aged: 50 Years, R/o Gandhipeta, 1st Street, Near Bulusu Function hall, Ramachandrapuram Town & Mandal, Dr B R Ambedkar Konaseema District, Andhra Pradesh - 533 255 (Addressee Nos. 1 to 6 by RPAD)
 7. One CC to Sri V.Sai Kumar, Advocate [OPUC]
 8. Two CCs to GP FOR REVENUE, High Court of Andhra Pradesh. [OUT]
 9. One spare copy.

PSD



HIGH COURT

BKM,J

DATE:18/02/2026

NOTE: LIST ON 18.03.2026

ORDER

WP.No.4738 of 2026

DIRECTION

