

IN THE HIGH COURT OF ANDHRA PRADESH AT AMARAVATI
(SPECIAL ORIGINAL JURISDICTION)
MONDAY, THE TWENTY FOURTH DAY OF FEBRUARY
TWO THOUSAND AND TWENTY FIVE



:PRESENT:

HONOURABLE SRI JUSTICE GANNAMANENI RAMAKRISHNA PRASAD
WRIT PETITION NO: 4767 OF 2025

Between:

Yangala Rajashekhar, S/o Veereshappa, Aged about 34 years, R/o D.No.6-53, Kosigi Village and Post, Kurnool District.

Petitioner

AND

1. The State of Andhra Pradesh, Rep. by its Principal Secretary, Revenue Department, Secretariat Building, Velagapudi, Amaravati, Guntur District.
2. The District Collector, Kurnool District, Kurnool.
3. The Revenue Divisional Officer, Adoni Division, Kurnool District.
4. The Tahsildar, Adoni, Kurnool District.
5. The Mandagiri Grama Panchayat, Rep. by its Secretary, Mandagiri Village, Adoni Mandal, Kurnool District.

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 in attempting to dispossess the Petitioner from his house site consisting asbestos sheet roofed shed under Assessment No.2699, situated in H.No. 11-62/27, Survey No.565 for an extent of 300 Sq.yards of Mandagiri Village, Adoni Mandal, Kurnool District without following due process of law, is illegal, arbitrary, unjust, violation of fundamental rights guaranteed under Article 19, 21 and more particularly property right guaranteed under Article 300-A of Constitution and consequently direct the Respondents not to interfere with the Petitioner's peaceful possession and enjoyment of his house site consisting

asbestos sheet roofed shed under Assessment No.2699, situated in H.No.11-62/27, Survey No.565 for an extent of 300 Sq.yards of Mandagiri Village, Adoni Mandal, Kurnool District without following due process of law.

IA NO: 1 OF 2025

Petition under Section 151 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 not to interfere with the Petitioner's peaceful possession and enjoyment of his house site consisting asbestos sheet roofed shed under Assessment No.2699, situated in H.No. 11-62/27, Survey No.565 for an extent of 300 Sq.yards of Mandagiri Village, Adoni Mandal, Kurnool District without following due process of law till disposal of the main Writ Petition, Pending disposal of WP 4767 of 2025, 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 A SYAM SUNDAR REDDY Advocate for the Petitioners and of GP FOR REVENUE for the Respondents 1 to 4, SRI. M SUDHIR, Standing counsel for Respondent No.5, the Court made the following
ORDER

"Heard Sri M. Venkata Sai Teja, learned Counsel representing Sri A. Syam Sundar Reddy, learned Counsel for the Writ Petitioner and Sri T. Sanjeeva Rao, learned Assistant Government Pleader for Revenue.
2. Learned Counsel for the Writ Petitioner has submitted that the Writ Petitioner is under threat of dispossession. Learned Counsel would submit that the Writ Petitioner was granted a House Site Patta for an extent of 300 Sq. yards in H.No.11-62/27, Sy.No. 565 in Mandagiri Village, Adoni Mandal, Kurnool District, under House Site Patta bearing File No. RCB19/2021, dated 15.06.2021 (Ex.P.1).

3. Learned Counsel for the Writ Petitioner would submit that on the strength of the House Site Patta, the Petitioner has erected an Asbestos Shed, as mentioned in the photographs in Page 26 of the Writ Petition.

4. Sri T. Sanjeeva Rao, learned Assistant Government Pleader for Revenue, has submitted the Written Instruction furnished by the Tahsildar, Adoni Mandal, dated 22.02.2025. Copy of it is supplied to the Counsel for the Writ Petitioner and the same is taken on record. The Written Instruction would indicate that the extent of land in Sy.No.565 of Mandagiri Village is classified as 'Rasta' in the Webland Adangal and therefore, the same was placed under the Prohibited Properties List under Section 22A of the Registration Act.

5. A stand is also taken by the Official Respondents that the House Site Patta placed by the Writ Petitioner on record, dated 15.06.2021, is not a genuine one.

6. Having regard to the fact that the Writ Petitioner is in possession of the House Site Patta, dated 15.06.2021 (Ex.P.1), whose authenticity will now have to be verified and also having regard to the fact that the Writ Petitioner has erected an Asbestos Shed House (Page 26), this Court is of the opinion that the balance of convenience is in favour of the Writ Petitioner. Accordingly, there shall be a direction to all the parties to maintain the Status quo obtaining as on today, till the next listing.

7. Let Counter Affidavit be filed within four weeks. Two weeks thereafter for filing Re-joinder, if any.

8. List this matter on 23.04.2025."

Sd/- B CHITTI JOSEPH
ASSISTANT REGISTRAR

//TRUE COPY//

For ASSISTANT REGISTRAR

To,

1. The Principal Secretary, The State of Andhra Pradesh, Revenue Department, Secretariat, Velagapudi, Amaravati, Guntur District.(by SPECIAL MESSENGER)
2. The District Collector, Kurnool District, Kurnool.
3. The Revenue Divisional Officer, Adoni Division, Kurnool District.
4. The Tahsildar, Adoni, Kurnool District.
5. The Secretary, Mandagiri Grama Panchayat, Mandagiri Village, Adoni Mandal, Kurnool District. (Nos. 2 to 5 by RPAD)
6. One CC to SRI. A SYAM SUNDAR REDDY Advocate [OPUC]
7. One CC to SRI. M SUDHIR, Standing counsel [OPUC]
8. Two CCs to GP FOR REVENUE ,High Court Of Andhra Pradesh. [OUT]
9. **One spare copy**

HIGH COURT

GRKP,J

DATED:24/02/2025

LIST ON 23.04.2025

ORDER

WP.No.4767 of 2025

STATUS QUO

