



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

[3521]

MONDAY, THE TWENTIETH DAY OF APRIL
TWO THOUSAND AND TWENTY SIX

PRESENT

THE HONOURABLE DR JUSTICE Y. LAKSHMANA RAO

WRIT PETITION NO: 4923/2025

Between:

1. DASARI SREE HARI, S/O. RAGHAVULU, AGED ABOUT 44 YEARS,
OCC. PRIVATE EMPLOYEE R/O. D.NO.32/126-2-A, BANDARKOTA
VILLAGE, MACHILIPATNAM, KRISHNA DISTRICT.

...PETITIONER

AND

1. THE STATE OF ANDHRA PRADESH, REP. BY ITS PRINCIPAL
SECRETARY - HOME, SECRETARIAT, AMARAVATHI AT
VELAGAPUDI, GUNTUR DISTRICT.

2. THE SUPERINTENDENT OF POLICE, MACHILIPATNAM, KRISHNA
DISTRICT.

3. THE STATION HOUSE OFFICER, MACHILIPATNAM POLICE
STATION, MACHILIPATNAM, KRISHNA DISTRICT.

4. TALARI RAMESH KUMAR, S/O. VEERA RAGHAVAIAH, AGED
ABOUT 56 YEARS, OCC. BUSINESS, R/O. D.NO. 13-1-200/1/103,
KAMADHANU TOWERS, BALAJI SWARNAPURI COLONY,
ERRAGADDA, HYDERABAD.

5. TALARI RAVINDRA BABU, S/O. UMA MAHESWARA RAO, AGED
ABOUT 41 YEARS, OCC. BUSINESS, R/O. D.NO.1-7, TADIGADAPA,
VIJAYAWADA, NTR DISTRICT.

...RESPONDENT(S):

Counsel for the Petitioner:

1. B V ANJANEYULU

Counsel for the Respondent(S):

1. GP FOR HOME

2. B CHANDRA SHEKHAR

The Court made the following ORDER:

The Writ Petition has been filed for the following relief:

“...to issue a Writ of Mandamus, or any other appropriate writ, order or direction, declaring the action of the 3rd respondent in interfering with the peaceful possession and enjoyment of the petitioner and threatening to handover the house bearing door No.32/126-2A of Bandarkota Village, Machilipatnam, Krishna District to the respondents 4 and 5 though there is a civil case pending between the petitioner and the respondents 4 and 5 as illegal and arbitrary and violation of Articles 19, 21 of Constitution of India and consequently direct the respondents not to interfere with the peaceful possession and enjoyment of the petitioner and threatening to handover the house bearing door No.32/126-2A of Bandarkota Village, Machilipatnam, Krishna District and pass...”

2. Heard learned counsel for the Petitioner and the learned Assistant Government Pleader.

3. Mr. B. V. Anjaneyulu, learned counsel for the petitioner, submits that respondent No. 3 has been interfering with the peaceful possession and enjoyment of the petitioner in respect of the house and is threatening to hand over the house to respondent Nos. 4 and 5, though a civil case is pending between the petitioner and respondent Nos. 4 and 5.

4. Sri P.Ajay Babu, learned Assistant Government Pleader, on written instructions, submits that that respondent No.3 has never interfere in the

civil disputes pending in between the petitioner and the respondent Nos. 4 and 5.

5. Mr. B.Chandrasekhar, learned counsel for respondent No.5, submits that the petitioner instituted a suit in O.S. No. 260 of 2015 on the file of the learned I Additional Junior Civil Judge, Machilipatnam, wherein the petitioner had shown the 5th respondent as the 3rd defendant. The said suit was dismissed. Challenging the dismissal of the suit, the petitioner preferred an appeal in A.S. No. 71 of 2022 on the file of the learned Additional Senior Civil Judge, Machilipatnam; however, the said appeal was also dismissed.

6. Indubitably, there was a civil suit between the petitioner and respondent No.5, however, the suit was dismissed at two levels. It appears that the petitioner has not filed any second appeal challenging the dismissal of the first appeal.

7. Be that as it may, when a civil dispute is pending between the petitioner and respondent Nos.4 and 5 with regard to the house, respondent No. 3 cannot interfere in the said civil dispute or insist that the petitioner to hand over or vacate the house.

8. Having regard to the entire facts and circumstances of the case, and recording the submissions of the learned Assistant Government Pleader and learned counsel for respondent No.5, the Writ Petition is disposed of, directing respondent No.3 not to interfere in the civil dispute

with regard to the house pending between the petitioner and respondent No. 5, without following due process of law.

9. With the above observations, the Writ Petition is disposed of. There shall be no order as to costs.

As a sequel, miscellaneous petitions pending, if any, shall stand closed.

Dr.Y. LAKSHMANA RAO, J

Date: 20.04.2026
SSA

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THE HONOURABLE DR JUSTICE Y. LAKSHMANA RAO

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Date: 20.04.2026
SSA