



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

[3233]

FRIDAY, THE TWENTIETH DAY OF FEBRUARY
TWO THOUSAND AND TWENTY SIX

PRESENT

THE HONOURABLE SRI JUSTICE B KRISHNA MOHAN

WRIT PETITION NO: 5038/2026

Between:

1. CHITTIM SRINIVASULU,, S/O. C.LAKSHMINARASAYYA, AGED
ABOUT 57 YEARS, OCC AGRICULTURE, R/O.JALLIPETA VILLAGE,
PALAMANER MANDAL, CHITTOOR DISTRICT.

...PETITIONER

AND

1. THE STATE OF ANDHRA PRADESH, REP., BY ITS PRINCIPAL
SECRETARY REVENUE DEPARTMENT, SECRETARIAT
BUILDINGS, VELAGAPUDI, GUNTUR DISTRICT.522238

2. THE DISTRICT COLLECTOR, CHITTOOR DISTRICT,
CHITTOOR.517001

3. THE REVENUE DIVISIONAL OFFICER, , PALAMANER. CHITTOOR
DISTRICT.517408

4. THE TAHSILDAR, PALAMANER MANDAL, CHITTOOR
DISTRICT.517408

...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 may be pleased to issue an appropriate Writ, Order or direction more particularly one in the nature of Writ of Mandamus assailing the proceedings in R.C.A./241/2026 dated 13-02-2026 issued by the respondent No.4 under Section 6 of the Land Encroachment Act 1905 for eviction the land in an extant of Ac.0.495 Cents in Sy.No.819 of Moram Villlage fields.

Palamaner Mandal, Chittoor District, without conducting summery enquiry or considering the explanation dated 11-12-2025 submitted by petitioner to the notice in R.C.A./241/2025 dated 29-11-2025 under section 7 of the Land Encroachment Act 1905 as arbitrary, illegal and contrary to the well established legal principles, contrary to the provisions of the Land Encroachment Act 1905, apart from being violative of fundamental and Constitutional Rights guaranteed to the petitioner under Articles 14, 19, 21 and 300-A of the Constitution of India and consequently set aside the same and pass such

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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 may be pleased to grant stay of all further proceedings in pursuance of the proceedings in R.C.A./241/2026 dated 13-02-2026 issued by the respondent No.4, pending disposal of the above Writ Petition and pass such

Counsel for the Petitioner:

1.S PARINEETA

Counsel for the Respondent(S):

1.GP FOR REVENUE

The Court made the following Order:

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

2. This writ petition is filed questioning the proceedings in R.C.A/241/2026 of the 4th respondent dated 13.02.2026 issued under Section 6 of the Andhra Pradesh Land Encroachment Act, 1905 (hereinafter referred as “the Act”) on the ground that the petitioner encroached illegally by cultivating the subject land to an extent of Ac.0.495 cents described as the Government land in Sy.No.819 of Moram Village, Palamaner Mandal, Chittoor District.

3. The learned counsel for the petitioner submits that the 4th respondent has not considered the explanation submitted dated 11.12.2025 for the notice issued under Section 7 of the Act dated 29.11.2025.

4. On the other hand, the learned Assistant Government Pleader appearing for the respondents submits that the explanation of the petitioner would be considered by the 4th respondent, following the due procedure.

5. In view of the above said facts and circumstances, the petitioner is permitted to submit additional explanation, if any, enclosing all the necessary documents in support of his claim in continuation of the earlier explanation submitted, dated 11.12.2025 to the 4th respondent, pursuant to the above said notice issued under Section 7 of the said Act by the 4th respondent dated 29.11.2025 within a period of four (04) weeks from the date of receipt of this

order. On receipt of such additional explanation, if any, from the petitioner, the 4th respondent is directed to proceed with the necessary enquiry, pursuant to the above said notice dated 29.11.2025 strictly in accordance with law, by hearing all the parties concerned, including the petitioner, giving due opportunity, upon verification of the records and the subject land, 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 of encroachment alleged, as detailed in the above said schedule of the notice of the 4th respondent dated 29.11.2025. For the purpose of conducting the above said enquiry, the impugned proceedings of the 4th respondent dated 13.02.2026 is set aside herewith.

6. 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

20.02.2026
PGT