

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

**MONDAY, THE THIRD DAY OF MARCH
TWO THOUSAND AND TWENTY FIVE**

**: PRESENT:
HONOURABLE SRI JUSTICE SUBBA REDDY SATTI**



WRIT PETITION NO: 5211 OF 2025

Between:

Yalamanchili Sri Chaitanya Dev, Male, aged: 54 years, Occupation- Cultivation, S/o. Yalamanchili Mahesh Chandra Chowdary (Late), R/o. Navya Enclave, Flat No.204, Ashoknagar, Eluru, Eluru District.

Petitioner

AND

1. The State of Andhra Pradesh, rep. by its Principal Secretary to Government (Revenue Land Acquisition Department) A.P. Secretariat, Velagapudi, Amaravathi, Guntur District.
2. District Collector, Eluru, Eluru District.
3. Revenue Divisional Officer, Collector Office Compound, Eluru, Eluru District.
4. Tahsildar, Pedapadu (M) & (V), Eluru District.
5. Koniki Gram Panchayat, rep. by its Panchyat Secretary, Koniki (V), Pedapadu (M), Eluru District.
6. Superintending Engineer, A.P.E.P.D.C.L, R.R.Pet, Eluru. Eluru District.

Respondents

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 an appropriate Writ, order or direction more particularly in the nature of Writ of Mandamus declaring the action of Respondents proposing to construct Electrical Sub-Station in petitioner's house site of an extent of Ac.0.30 cents without initiating the Land Acquisition proceedings as highly illegal, arbitrary and contrary to law and clear violation of Principles of Natural justice and clear violation of Articles 14,21 and 300A of the Constitution of India and consequently to direct the Respondents not to construct Electrical Sub-Station in petitioner's house site of an extent of Ac.0.30 cents in R.S.No.52 situated in Koniki (V), Pedapadu (M), Eluru District.

IA NO: 1 OF 2025

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 direct the Respondents not to construct Electrical Sub- Station in petitioner's house site of an extent of Ac.0.30 cents in R.S.No.52 situated in Koniki (V), Pedapadu (M), Eluru District, Pending disposal of WP No.5211 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 B P Raju, Advocate for the Petitioner, and of GP for Land Acquisition for Respondent Nos. 1 to 4, and of Sri Y. Koteswara Rao, Standing Counsel for Respondent No. 5, and of Smt. Iswarya, Standing Counsel for Respondent No. 6, the Court made the following.

ORDER

Heard Sri B P Raju, learned counsel for the petitioner, learned Government Pleader for Land Acquisition for respondents 1 to 4, Smt.

M.Sarada, learned counsel representing Sri Y.Koteswara Rao, learned standing counsel for 5th respondent and Smt.Iswarya, learned Junior standing counsel for 6th respondent.

The grievance of the petitioner is that the 5th respondent, without acquiring the land of the petitioner of an extent of Ac.0-30 cents out of Ac.1-50 cents in Sy.No.52 of Koniki Village, Pedapadu Mandal, Eluru District, is leveling the land for construction of sub-station.

Learned junior standing counsel would submit that 6th respondent has not initiated any steps so far.

Learned counsel for 5th respondent seeks time to get instructions.

List the matter on 10.03.2025 in Adjourned Motion List.

Till such time, 5th respondent shall not interfere with the petitioner's possession over the property, without following due process of law.

SD/- N.NAGAMMA
ASSISTANT REGISTRAR
SECTION OFFICER

//TRUE COPY//

For ASSISTANT REGISTRAR

To,

1. The Principal Secretary to government (Revenue Land Acquisition Department) State of Andhra Pradesh, A.P. Secretariat, Velagapudi, Amaravathi, Guntur District.
2. The District Collector, Eluru, Eluru District.

3. The Revenue Divisional Officer, Collector Office Compound, Eluru. Eluru District.
4. The Tahsildar, Pedapadu (M) and (V), Eluru District.
5. The Panchyat Secretary, Koniki Gram Panchayat, Koniki (V), Pedapadu (M), Eluru District.
6. The Superintending Engineer, A.P.E.P.D.C.L. R.R.Pet, Eluru. Eluru District. (1 to 6 by RPAD)
7. One CC to Sri B P Raju, Advocate [OPUC]
8. One CC to Sri Y. Koteswara Rao, Standing Counsel [OPUC]
9. One CC to Smt. Iswarya, Standing Counsel [OPUC]
10. Two CCs to GP for Land Acquisition, High Court of Andhra Pradesh [OUT]
11. One spare copy

HIGH COURT

SRSJ

DATED: 03/03/2025

LIST THE MATTER ON 10.03.2025 IN ADJOURNED MOTION LIST

ORDER

WP.NO.5211 OF 2025

INTERIM DIRECTION

