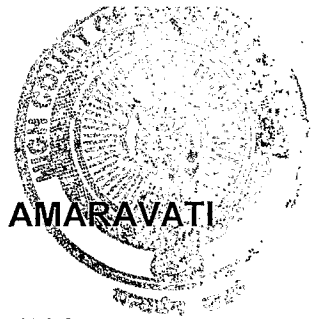




**IN THE HIGH COURT OF ANDHRA PRADESH AT AMARAVATI
(Special Original Jurisdiction)**

MONDAY, THE FOURTEENTH DAY OF JULY

TWO THOUSAND AND TWENTY FIVE

: PRESENT:

THE HONOURABLE SRI JUSTICE GANNAMANENI RAMAKRISHNA PRASAD

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 Panchayat 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 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 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 the earlier Order of the High Court dated 03.03.2025 , 17.03.2025, 21.04.2025 & 16.06.2025 made herein 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. Kothapalli Alswarya, Junior Standing Counsel for Respondent No. 6, the Court made the following.

ORDER

Heard Sri B.P. Raju, learned Counsel for the Writ Petitioner, Sri T. Sanjeeva Rao, learned Assistant Government Pleader for Revenue, Sri Y.

Koteswara Rao, learned Standing Counsel appearing for the Respondent No.5 and Ms. Kothapalli Aishwarya Chowdhary, learned Junior Standing Counsel for the APEPDCL appearing for the Respondent No.6.

2. Ms. Kothapalli Aishwarya Chowdhary, learned Junior Standing Counsel for the APEPDCL appearing for the Respondent No.6 has submitted the Written Instructions furnished by the Executive Engineer, Operation Division, Eluru, dated 01.03.2025. The relevant portion of the Written Instruction is usefully extracted hereunder:

“In this connection, it is humbly submitted that, no estimate was sanctioned for construction of electrical Sub-Station in RS No.52 of Koniki Village in Pedapadu Mandal and Section and no construction activity is carryingout in the said survey number by APEPDCL which was mentioned in the writ petition by the petitioner.”

3. The above extract would indicate that the concerned Authority has not sanctioned the budgetary estimate. However, this Court is of the view that this Written Instruction is inadequate. This Court would like to know whether there is any proposal for establishing a Sub-Station in the house site belonging to the Writ Petitioner to an extent of Ac.0.30 cents in RS. No.52 of Koniki Village, Pedapadu Mandal, Eluru District.

4. Interim Order granted earlier shall continue till the next listing.

5. List the matter on 21.07.2025.

//TRUE COPY//

SD/- N.NAGAMMA
ASSISTANT REGISTRAR
Nee
SECTION OFFICER

To,

1. One CC to Sri B P Raju, Advocate [OPUC]
2. One CC to Sri Y. Koteswara Rao, Standing Counsel [OPUC]
3. One CC to Smt. Iswarya , Junior Standing Counsel [OPUC]
4. Two CCs to GP for Land Acquisition, High Court of Andhra Pradesh [OUT]
5. One spare copy

PSR

HIGH COURT

GRKP, J

DATED: 14.07.2025

LIST THE MATTER ON 21.07.2025

ORDER

WP.NO.5211 OF 2025

INTERIM ORDER EXTENDED

