

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

MONDAY, THE FIFTEENTH DAY OF SEPTEMBER

TWO THOUSAND AND TWENTY FIVE

: PRESENT:

THE HONOURABLE SRI JUSTICE GANNAMANENI RAMAKRISHNA PRASAD



WP NOs: 5211 & 7989 OF 2025

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, 14.07.2025 & 21.07.2025 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 Aiswarya Chowdary, Junior Standing Counsel for Respondent No. 6, the Court made the following.

WRIT PETITION NO: 7989 OF 2025

Between:

Yalamanchili Sri ChaitanyaDev, Male, aged 54 years, Occ: 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 and 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) and (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.
7. Assistant Engineer/Commercial and Tech/Operation Division, O/o: Executive Engineer/Operation, A.P.E.P.D.C.L. Eluru, Eluru 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 an appropriate Writ, order or direction more particularly one in the nature of Writ of Mandamus declaring the action of Respondents now proposing to construct Electrical Sub-Station in Petitioner's house site of an extent of Ac.50.00 cents out of house of an extent of Ac.3.50 cents in R.S.No.52 and 52/1 without initiating the Land Acquisition Proceedings and dumping mud in petitioners land as highly illegal, arbitrary and contrary to law and clear violation of Articles 14,21 and 300A of the Constitution of India and clear violation of Principles of Natural Justice and consequently to direct the respondents not to construct Electrical Sub-Station in petitioners house site of an extent of Ac. 50.00 cents out of house site of an extent of Ac.3.30 cents in

R.S.No. 52 and 52/1 situated in Koniki (V), Pedapadu (M), Eluru District and not to dump mud in petitioners land.

IA NO: 1 OF 2025

Petition under Section 151 CPCis 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.50.00 cents out of Ac.3.30 cents of house site situated in R.S.No.52, and R.S.No.52/1 situated in Koniki (V), Pedapadu (M), Eluru District, Pending disposal of WP No.7989 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 01.04.2025, 21.04.2025, 16.06.2025, 14.07.2025 & 21.07.2025 made herein and upon hearing the arguments of Sri B P Raju, Advocate for the Petitioner, and of GP for Land Acquisition for the Respondent Nos. 1 to 4, and of Sri Y.Koteswara Rao, Standing Counsel for Respondent No.5, and of Ms. K. Aishwarya Chowdary, Junior Standing Counsel for Respondent Nos. 6 & 7 and the Court made the following

ORDER:

Heard Sri B.P. Raju, learned Counsel for the Writ Petitioners; Ms. K. Aishwarya Chowdary, learned Junior Standing Counsel for APEPDCL; Sri T. Sanjeeva Rao, learned Assistant Government Pleader for Revenue and Sri Shaik Abdul Siddiq, learned Counsel appearing on behalf of Sri Y. Koteswara Rao, learned Standing Counsel for ZPPs, MPPs and Gram Panchayat.

2. Having regard to the facts and circumstances of the case, this Court deems it appropriate to call for the Report from the Tahsildar as

regards the claim made by the Writ Petitioners. Let the Report be submitted within two weeks.

3. List these matters on 08.10.2025.

4. Interim Order granted earlier in both Writ Petitions shall continue till the next listing.

5. Liberty is also given to the Writ Petitioners to approach the Tahsildar and make appropriate Application for conducting the survey of the land, if so advised.

//TRUE COPY//

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SD/- N.NAGAMMA
ASSISTANT REGISTRAR
SECTION OFFICER

To,

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

HIGH COURT

GRKP, J

DATED: 15.09.2025

LIST THESE MATTERS ON 08.10.2025

ORDER

WP.Nos.5211 & 7989 OF 2025

INTERIM ORDER EXTENDED

