

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

THURSDAY ,THE EIGHTH DAY OF MAY
TWO THOUSAND AND TWENTY FIVE



PRESENT

THE HONOURABLE SRI JUSTICE VENKATESWARLU NIMMAGADDA

WRIT PETITION NO: 5763 OF 2025

Between:

Kanugula Kalavathi, W/o. Rama Rao, House wife aged about 72 years
r/o Kanugulavanipeta, Ippili, Srikakulam District, Andhra Pradesh.

...PETITIONER

AND

1. The State of Andhra Pradesh, Represented by its Principal Secretary Revenue Department, Secretariat Buildings at Velagapudi, Guntur District, Andhra Pradesh.
2. The Revenue Divisional Officer, Bheemunipatnam, Visakhapatnam District, Andhra Pradesh.
3. The Tahsildar, Bheemunipatnam Mandal, Visakhapatnam District, Andhra Pradesh.
4. The District Collector, Visakhapatnam District, Andhra Pradesh.

...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 a Writ or Order or Direction more particularly one in the nature of Writ of Mandamus declaring the action of the respondents 1 to 4 herein in trying to occupy by fixing caution boards and destroying without giving any notice or any authority, the mango plantations existing in the dry land admeasuring Ac 1.00 cents in Sy.No.329/1p in Kapuluppada village, Bheemunipatnam Mandal, Visakhapatnam District belonging to the petitioners obtained by way of D Patta vide 1586/1372/87:dtd 23/06/1962.

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 1 to 4 to remove the caution boards till the disposal of the suit and declaring the action of the respondents 1 to 4 herein in trying to occupy by fixing caution boards and destroying without giving any notice or any authority, the mango plantations existing in the dry land admeasuring Ac 1.00 cents in Sy.No.329/1p in Kapuluppada village Bheemunipatnam Mandal, Visakhapatnam District belonging to the petitioners obtained by way of D Patta vide 1586/1372/87:dtd 23/06/1962 or to pass such other order or orders as this Hon'ble Court may deems fit just and proper in the circumstances of the case.

Counsel for the Petitioner(s):SRI. NALLURI RAMESH BABU

Counsel for the Respondents: GP FOR REVENUE

The Court made the following:



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

[3329]

THURSDAY ,THE EIGHTH DAY OF MAY
TWO THOUSAND AND TWENTY FIVE

PRESENT

THE HONOURABLE SRI JUSTICE VENKATESWARLU NIMMAGADDA

WRIT PETITION NO: 5763/2025

Between:

Kanugula Kalavathi,

...PETITIONER

AND

The State Of Andhra Pradesh and Others

...RESPONDENT(S)

Counsel for the Petitioner:

1.NALLURI RAMESH BABU

Counsel for the Respondent(S):

1.GP FOR REVENUE

The Court made the following:

THE HON'BLE SRI JUSTICE VENKATESWARLU NIMMAGADDA

WRIT PETITION NO: 5763/2025ORDER:

This writ petition is filed under Article 226 of the Constitution of the India seeking the following reliefs:-

"to issue a writ, order or direction more particularly one in the nature of Writ of Mandamus declaring the action of respondent Nos.1 to 4 herein in trying to occupy by fixing caution boards and destroying without giving any notice or any authority, the mango plantations existing in the dry land admeasuring Ac.1.00 cents in Sy.No.329/1p in Kapuluppada Village, Bheemunipatnam Mandal, Visakhapatnam District belonging to the petitioners obtained by way of D Patta vide 1586/ 1372/87 dated 23.06.1962 and pass such other order."

2. Heard the learned counsel for the petitioner and the learned Government Pleader for the respondents.

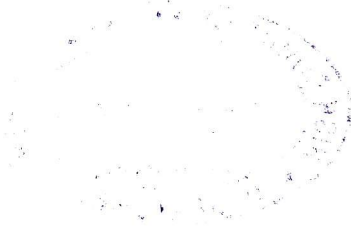
3. Learned counsel for the petitioner submits that the petitioner's father is the absolute owner of the land admeasuring to an extent of Ac.1.00 cents in Sy.No.329/1p of Kapuluppada Village, Bheemunipatnam Mandal, Visakhapatnam District having acquired the same through D Patta dated 23.06.1962. After the death of the petitioner's father, the petitioner has been in peaceful possession and enjoyment of the subject property by cultivating the mango plantation. While things stood thus, the respondents are trying to destroy the mango plantation existing in the subject land and fixed the caution boards. Hence, the present Writ Petition.

4. Learned Assistant Government Pleader for Revenue submits that, if the petitioner is in possession of the subject property, the respondents would follow due process of law.

5. Having regard to the submissions made by the learned counsel for the petitioner and the learned Assistant Government Pleader for the respondents, this Court deems it appropriate to dispose of the Writ Petition directing the respondents not to interfere with the petitioner's subject property without following due process of law.

6. With the above direction, the writ petition is disposed of. There shall be no order as to costs.

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



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Sd/- P. VINOD KUMAR
ASSISTANT REGISTRAR

SECTION OFFICER

To,

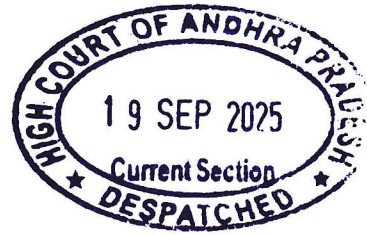
1. The Principal Secretary Revenue Department, State of Andhra Pradesh, Secretariat Buildings at Velagapudi, Guntur District, Andhra Pradesh.[By Special Messenger]
2. The Revenue Divisional Officer, Bheemunipatnam, Visakhapatnam District, Andhra Pradesh.
3. The Tahsildar, Bheemunipatnam Mandal, Visakhapatnam District, Andhra Pradesh.
4. The District Collector, Visakhapatnam District, Andhra Pradesh.[2 TO 4 by RPAD]
5. One CC to SRI. NALLURI RAMESH BABU Advocate [OPUC]
6. Two CCs to GP FOR REVENUE ,High Court Of Andhra Pradesh. [OUT]
7. Three CD Copies

HIGH COURT

DATED:08/05/2025

ORDER

WP.No.5763 of 2025



THE WRIT PETITION IS DISPOSED OF WITHOUT
COSTS