

IN THE HIGH COURT OF ANDHRA PRADESH :: AMARAVATI

(Special Original Jurisdiction)

MONDAY, THE SEVENTEENTH DAY OF MARCH

TWO THOUSAND AND TWENTY FIVE

PRESENT

THE HON'BLE SRI JUSTICE VENKATESWARLU NIMMAGADDA

WRIT PETITION NO: 6389 OF 2025



Between:

1. Harijana Gururaju S/o H. Sreeramulu
Aged about 35 years,
R/o 3/33a, S.C.Colony,
Atikelagundu, Nalakadoddi,
Pathikonda, Kurnool District.
2. Talari Rani W/o Talari Maruthi,
Aged about 29 years,
R/o 18-110, Kummari Street,
Pathikonda, Kurnool District.
3. Talari Sunitha W/o T. Govindarajulu
Aged about 41 years,
R/o Atikelagundu, Nalakadoddi,
Pathikonda, Kurnool District.
4. Talari Gangamma W/o T. Chinna Ranganna
Aged about 66 years,
R/o 4-50-2, 4th ward, Atikelagundu,
Pathikonda, Kurnool District.
5. Medikunda Suvarnamma W/o M. Sunkanna
Aged about 38 years,
Atikelagundu post, Nalakadoddi,
Kurnool District.
6. K. Ranganna S/o K.Venkappa
Aged about 70 years,
R/o Atikelagundu, Nalakadoddi,
Pathikonda, Kurnool District.

... Petitioners

And

1. The State of Andhra Pradesh, Rep by its Principal Secretary
Revenue Department, Secreariate Building,
Velagapudi, Guntur District.
2. The District Collector, Kurnool
Kurnool District.

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3. The Revenue Divisional Officer,
Pathikonda, Kurnool District.
 4. The Tahasildar, Pathikonda,
Kurnool District.
 5. The Mandal Revenue Inspector,
Pathikonda, Kurnool District.

....Respondents

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the affidavit filed therewith, Hon'ble Court may be pleased to issue any writ, order or direction more particular one in the nature of Writ of Mandamus declaring the action of the 4th respondent in issuing proceedings Rc. (B) 156/2022 dated 24-01-2025 directing the 5th respondent to resume the

assigned lands of the writ petitioner 1 to 5 to an extent of Ac. 1.50 cents in Sy. No. 108, to an extent of Ac. 1.50 cents in Sy. No. 108, to an extent of Ac. 1.50 cents in Sy. No. 108, an extent of Ac. 1.50 cents in Sy. No. 108, an extent of Ac. 1.50 cents in Sy. No. 108 and to resume the land of 6th petitioner vide proceedings Rc. (B) 156/2022 dated 24-01-2025 and Rc. (B) 157/2022 dated 24-01-2025 of an extent of Ac. 2. 86 cents of Sy. No. 107/2 of Nalakadoddi village, Pathikonda Mandal, Kurnool District without considering the explanation and basing on the report of 5th respondent which was prepared without notice to the writ petitioners is illegal, Arbitrary, violation of principles of Natural Justice and violative of the Articles 14, 19 and 300 A of the constitution of India and consequently set a side the same.



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

[3329]

MONDAY ,THE SEVENTEENTH DAY OF MARCH
TWO THOUSAND AND TWENTY FIVE

PRESENT

THE HONOURABLE SRI JUSTICE VENKATESWARLU NIMMAGADDA

WRIT PETITION NO: 6389/2025

Between:

Harijana Gururaju

...PETITIONER

AND

The State Of Ap

...RESPONDENT

Counsel for the Petitioner:

1.K V RAGHU VEER

Counsel for the Respondent:

1.GP FOR REVENUE

The Court made the following:

THE HON'BLE SRI JUSTICE VENKATESWARLU NIMMAGADDA
WRIT PETITION NO: 6389/2025

ORDER:

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 the 4th respondent in issuing proceedings in Rc.(B) 156/2022 dated 41.01.2025 directing the 5th respondent to resume the assigned lands of the writ petitioner Nos.1 to 5 to an extent of Ac.1.50 cents in Sy.No.108, to an extent of Ac.1.50 cents in Sy.No.108, to an extent of Ac.1.50 cents in Sy.No.108, an extent of Ac.1.50 cents in Sy.No.108, an extent of Ac.1.50 cents in Sy.No.108 and to resume the land of 6th respondent vide proceedings Rc.(B).156/2022 dated 24.01.2025 and Rc.(B).157/2022 dated 24.01.2025 of an extent of Ac.2.86 cents of Sy.No.107/2 of Nalakadoddi Village, Pathikonda mandal, Kurnool District without considering the explanation and basing on the report of 5th respondent which was prepared without notice to the writ petitioners is illegal, arbitrary, violation of principles of natural justice and violative of the Articles 14, 19 and 300-A of the Constitution of India and consequently set aside the same and pass such other order.

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

3. Learned counsel for the petitioners submits that petitioner Nos.1 to 5 were assigned the land admeasuring to an extent of Ac.1.50 cents each in Sy.No.108 and petitioner No.6 was assigned the land admeasuring to an extent of Ac.2.86 cents in Sy.No.107/2 of Nalakadoddi Village, Pathikonda Mandal, Kurnool District and they

have been in possession and enjoyment of the subject lands. While things stood thus, the 4th respondent issued impugned proceedings dated 24.01.2025 resuming the lands of the petitioners on the ground that the petitioners are not cultivating the subject lands and violated the assignment conditions. He further submits that the impugned proceedings dated 24.01.2025 under which the lands of the petitioners were sought to be resumed is without considering the explanation submitted by the petitioners. As such, the said proceedings are contrary to the law and the impugned proceedings dated 24.01.2025 is liable to be set aside.

4. On the other hand, learned Government Pleader for the respondents submits that the petitioners are available with the alternative remedy by way of statutory appeal. As such the petitioner can challenge the impugned proceedings by way of statutory appeal before the Revenue Divisional Officer/3rd respondent.

5. Having regard to the submissions made by the learned counsel for the petitioners and the learned Government Pleader for the respondents and on perusal of the material placed on record, the Writ Petition is disposed of directing the petitioners to prefer an appeal before the 3rd respondent against the impugned proceedings dated 24.01.2025, within a period of two(2) weeks from the date of receipt of copy of this Order. After filing the same, the 3rd respondent shall considered the same and pass appropriate orders in

accordance with law, within a period of three(3) months thereafter. In the meanwhile, the respondents are directed not to dispossess the petitioners from the subject properties. There shall be no order as to costs.

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

//TRUE COPY//

Sd/- U.SRI DEVI
ASSISTANT REGISTRAR

SECTION OFFICER

To,

1. The Principal Secretary, State of Andhra Pradesh, Revenue Department, Secretariat Building, Velagapudi, Guntur District.
2. The District Collector, Kurnool, Kurnool District.
3. The Revenue Divisional Officer, Pathikonda, Kurnool District.
4. The Tahasildar, Pathikonda, Kurnool District
5. The Mandal, Revenue Inspector, Pathikonda, Kurnool District.
6. One CC to SRI. K V RAGHU VEER, Advocate [OPUC]
7. Two CCs to GP FOR REVENUE, High Court of Andhra Pradesh. [OUT]
8. Three C.D.Copies

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HIGH COURT

DATED:17/03/2025

ORDER

WP.No.6389 of 2025



DISPOSING OF THE WP WITHOUT COSTS