

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

THURSDAY, THE TWENTIETH DAY OF MARCH
TWO THOUSAND AND TWENTY FIVE

PRESENT

HONOURABLE SRI JUSTICE T.C.D.SEKHAR

WRIT PETITION NO: 7746 OF 2020



Between:

1. Talabathula Veera bhoga Vasantha Venkata Satyannarayan @ Srinivasa Rao, S/o. T. Varaha Narasimha Charyulu, Aged 56 years, Occ: Agriculture, Muthyalapeta village, Chirala Mandal, Praksam District
2. Talabathula Thrimurthulu, S/o. T Varaha Narasimha Charyulu, Aged 49 years, Occ- Agriculture, Muthyalapeta Village, Chirala Mandal, Prakasam District.

...PETITIONERS

AND

1. The State of Andhra Pradesh, Rep. by its Principal Secretary, Revenue Department, A.P. Secretariat Buildings, Velagapudi, Amaravathi, Andhra Pradesh.
2. The District Collector, Chirala, Praksam District
3. The Revenue Divisional Officer, Chirala, Praksam District .
4. The Tahsildar, Chirala, Praksam 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 a writ or direction preferably Writ of Mandamus declaring the action of the respondents in trying to dispossess the petitioners herein from the agricultural land to an extent of Ac.2.00 cents in sy.no. 66-5, 66-5 cents situated in Perala Village, Chirala Mandal, Prakasam District and also an extent of Ac.1-00 cents in Sy.No.66-3 situated in Perala Village, Chirala Mandal, Prakasam District without following due process of

law, as illegal and arbitrary and violation Article 14, 21 and 300-A of the Constitution of India and consequently direct the respondents not to dispossess the petitioners herein from the subject land to an extent of Ac.2.00 cents in sy.no. 66-5, 66-5 cents situated in Perala Village, Chirala Mandal, Prakasam District, and also an extent of Ac.1-00 cents in Sy.No.66-3 situated in Perala Village, Chirala Mandal, Prakasam District.

IA NO: 1 OF 2020

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 dispossess the petitioners herein from the subject land to an extent of Ac.2.00 cents in sy.no. 66-5, 66-5 cents situated in Perala Village, Chirala Mandal, Prakasam District, and also an extent of Ac.1-00 cents in Sy.No 66-3 situated in Perala Village, Chirala Mandal, Prakasam District.

Counsel for the Petitioners: SRI E. V. V. S. RAVI KUMAR

Counsel for the Respondent Nos.1 to 4: GP FOR REVENUE

The Court made the following: ORDER

APHC010128472020



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

[3505]

THURSDAY ,THE TWENTIETH DAY OF MARCH
TWO THOUSAND AND TWENTY FIVE

PRESENT

THE HONOURABLE SRI JUSTICE T.C.D.SEKHAR

WRIT PETITION NO: 7746/2020

Between:

Talabathula Veera Bhoga Vasantha Venkata ...PETITIONER(S)
Satyannarayan @ Srinivasa Rao, and Others

AND

The State Of Andhra Pradesh and Others ...RESPONDENT(S)

Counsel for the Petitioner(S):

1.E V V S RAVI KUMAR

Counsel for the Respondent(S):

1.GP FOR REVENUE (AP)

The Court made the following order:

1. It is the case of the petitioners that they have purchased lands admeasuring an extent of Ac.2.00 cents in Sy.No.66-5 and an extent of Ac.1.00 cents in Sy.No.66-3 by virtue of registered sale deeds vide document Nos.5403/2006 and 5511/2006 from their vendor Ullasa Vajramma, W/o Gnanaandham and Bitra Swamulamma and her sons. It is further case of the petitioners that since the date of purchase they are in peaceful possession and enjoyment of the subject lands by cultivating the same. It is further averred in the affidavit filed in support of the writ petition that the respondents started interfering with the possession of the petitioners on the premise that the lands are required for allotment of house sites under Navaratnalu Pedalandariki Illu scheme, without issuing any notice to them. When the respondents tried to forcefully dispossess the petitioners, the present petition came to be filed.

2. This Court, by order dated 09.03.2020, directed the respondents not to dispossess the petitioners from the subject land for a period of two (02) weeks.

3. When the matter is taken up for hearing, learned Assistant Government Pleader for Revenue placed instructions dt.06.03.2025, furnished by the Tahsildar, Chirala.

4. On a perusal of the said instructions, it is clear that the Tahsildar issued notice dt.19.02.2020 in Form-I and Form-II of Act 9 of 1977 asking the petitioner to show cause as to why they shall not be evicted from the subject lands. The instructions further read that upon receipt of the show cause notice dt.19.02.2020, the petitioners filed their explanation along with certain documents. When the matter is pending consideration before the Tahsildar, the petitioners rushed to this Court by filing the present writ petition. Though it is contended by the petitioners that a criminal notice was issued, on a perusal of the instructions furnished by the Tahsildar, it is clear that a notice was issued on 19.02.2020 and in fact the petitioners are also subjected themselves before the said authority for enquiry by filing certain documents.

5. In order to put a quietus to the litigation, the present writ petition is disposed of directing the Tahsildar, Chirala to issue fresh Form-I and II notices to the petitioners and upon which the petitioners are further directed to offer their explanation to the

said notices. Thereafter the respondents are directed to pass appropriate orders in the matter. It is made clear that till appropriate decision is taken in the matter, the petitioners shall not be dispossessed from the subject lands.

6. With the above observation, the present Writ Petition is disposed of. No costs.

As a sequel, pending applications, if any, shall stand closed.

//TRUE COPY//

Sd/- K KASIRAO ACHARI
ASSISTANT REGISTRAR

SECTION OFFICER

To,

1. The Principal Secretary, Revenue Department, State of Andhra Pradesh, A.P. Secretariat Buildings, Velagapudi, Amaravathi, Andhra Pradesh.
2. The District Collector, Chirala, Praksam District
3. The Revenue Divisional Officer, Chirala, Praksam District .
4. The Tahsildar, Chirala, Praksam District .
5. One CC to Sri E. V. V. S. Ravi Kumar, Advocate [OPUC]
6. Two CCs to GP for Revenue, High Court of Andhra Pradesh. [OUT]
7. Three CD Copies.

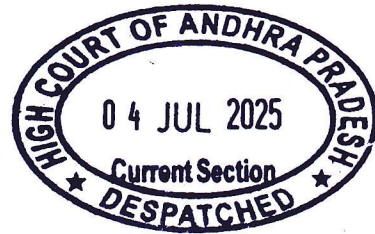
ssb

HIGH COURT

DATED:20/03/2025

ORDER

WP.No.7746 of 2020



DISPOSING OF THE W.P. WITHOUT COSTS