



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

[3233]

**TUESDAY, THE ELEVENTH DAY OF NOVEMBER
TWO THOUSAND AND TWENTY FIVE**

PRESENT

THE HONOURABLE SRI JUSTICE B KRISHNA MOHAN

WRIT PETITION NO: 7869/2020

Between:

1. SHAIK ADAM SHAFI, S/O JAN AHMAD AGED ABOUT 70YRS,
OM- AGRICULTURE RIO H.NO.6-739, KAKANI NAGAR
JAGGAYYAPETA, KRISHNA DISTRICT

...PETITIONER

AND

1. THE TAHSILDAR, JAGGAYYAPET MANDAL JAGGAYYAPET,
KRISHNA DISTRICT
2. THE DISTRICT COLLECTOR, MACHILIPATNAM, KRISHNA
DISTRICT
3. THE STATE OF ANDHRA PRADESH, REP. BY ITS PRINCIPAL
SECRETARY REVENUE DEPARTMENT SECRETARIAT,
VELAGAPUDI AMARAVATHI, GUNTUR DISTRICT

...RESPONDENT(S):

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 topleased to issue a writ, order or direction more particularly one in the nature of writ of Mandamus to declare the action of the respondent No.1 in trying to dispossess the petitioner from the land extent Ac.2.50cts in Sy.No.146/1 and Ac.1.16cts in Sy.No.146/2 total extent Ac.3.66cts situated in Jaggayyapet village and mandal, Krishna District without following due process of law as arbitrary, illegal and consequently direct the respondents not to dispossess the

petitioner from the land extent Ac.2.50cts in Sy.No.146/1 and Ac.1.16cts in Sy.No.146/2 total extent Ac.3.66cts situated in Jaggayyapet village and mandal, Krishna District without following due process of law in the interest of justice.

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 petitioner from the land extent Ac.2.50cts in Sy.No.146/1 and Ac.1.16cts in Sy.No.146/2 total extent Ac.3.66cts situated in Jaggayyapet village and mandal, Krishna District pending disposal of the Writ Petition in the interest of justice

IA NO: 2 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 vacate the interim orders dated 13.03.2020 passed in I.A.No. 1 of 2020 in W.P.No. 7869 of 2020 and further prayed to dismiss the Writ petition and pass

Counsel for the Petitioner:

1.P NAGENDRA REDDY

Counsel for the Respondent(S):

1.GP FOR REVENUE (AP)

2.

The Court made the following Order:

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

2. This writ petition was filed questioning the action of the respondent No.1 in trying to dispossess the petitioner from the land in an extent of Ac.2.50 cents in Sy.No.146/1 and Ac.1.16 cents in Sy.No.146/2 total extent of Ac.3.66 cents situated in Jaggayyapet village and mandal, Krishna District without following the due process of law.

3. On the other hand, the learned Assistant Government Pleader relying upon the counter of the 1st respondent submits that, as per the village records, the land in R.S.No.146 is classified as government un-assessed (Gutta) and the details of the land as per R.S.R. and account No.3 is as follows:

As per R.S.R.

S.No.	Name of the village	R.S. No.	Classification	Total extent	Name of the pattadar	Remarks
1	Jaggayyapeta	146	G.U. Government Un-assessed waste)	3.66	-	Gutta

As per Account No.3 (Adangal).

S. No.	Name of the village	R.S. No.	Classification of the land	Total extent of the land	Name of the pattadar	Name of the enjoyer	Nature of enjoyment
1	Jaggayyapeta	146	Government land	3.66	Gutta	Gutta	--

4. The petitioner has no right to claim the property. The subject land is under the control of the government. The petitioner has not produced any documentary evidence for its verification. There is no need to initiate the land acquisition proceedings in this land, because the subject land is a government land and it is classified as government un-assessed (Gutta). The government is in possession of the land.

5. In view of the above said facts and circumstances, no relief can be granted in this writ petition as per law. However, it is open for the petitioner to approach the 2nd respondent if he has any claim over the subject land by enclosing all the necessary documents in support of his claim within a period of four (4) weeks from the date of receipt of this order. On receipt of the same, the 2nd respondent shall consider and dispose of the application of the petitioner strictly in accordance with law by hearing all the parties concerned including the petitioner giving due opportunity, upon verification of the records and the subject land, appropriate decision shall be taken on its own merits as expeditiously as possible preferably within a period of three (3) months thereafter.

6. Accordingly, the writ petition is disposed of. Interim order if any, deemed to have been vacated. There shall be no order as to costs.

As a sequel, Miscellaneous Petitions pending, if any, shall stand closed.

JUSTICE B KRISHNA MOHAN

11.11.2025
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