

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

**TUESDAY, THE EIGHTEENTH DAY OF MARCH
TWO THOUSAND AND TWENTY FIVE**

PRESENT



HON'BLE SRI JUSTICE VENKATESWARLU NIMMAGADDA

WRIT PETITION NO: 6851 OF 2025

Between:

1. Kali Ramarao, S/o. (Late) China Bhushanam, Aged about 63 years, R/o. Ramaraogudem Village, Denduluru Mandal, Eluru District, Andhra Pradesh.
2. Kali Pullayya, S/o. (Late) China Bhushanam, Aged about 61 years, R/o. Ramaraogudem Village, Denduluru Mandal, Eluru District, Andhra Pradesh.
3. Kali Gangadhara Rao, S/o. (Late) China Bhushanam, Aged about 60 years, R/o. Ramaraogudem Village, Denduluru Mandal, Eluru District, Andhra Pradesh.
4. Kali Nageswara Rao, S/o. (Late) China Bhushanam, Aged about 55 years, R/o. Ramaraogudem Village, Denduluru Mandal, Eluru District, Andhra Pradesh.
5. Nethala Tulasamma, W/o. Raju, Aged about 58 years, R/o. Ramaraogudem Village, Denduluru Mandal, Eluru District, Andhra Pradesh.
6. Mulagala Bhagyalakshmi, W/o. Chandra Rao, Aged about 63 years, R/o. Ramaraogudem Village, Denduluru Mandal, Eluru District, Andhra Pradesh.

...PETITIONERS

AND

1. The State of Andhra Pradesh, rep. by its Principal Secretary, Department of Revenue, 4th Block, Ground Floor, Room No135, A.P Secretariat Office, Velagapudi, Amaravathi, Guntur District, Andhra Pradesh.

2. The District Collector, Eluru, Eluru District, Andhra Pradesh.
3. The Revenue Divisional Officer, Denduluru Mandal, Eluru District, Andhra Pradesh.
4. The Tahsildar, Ramaraogudem Village, Denduluru Mandal, Eluru District, Andhra Pradesh.
5. The Manal Surveyor, Denduluru Mandal, Eluru District, Andhra Pradesh.
6. Peyyala Sravanthi, D/o. (Late) Avinash, Aged about 33 years, R/o.D.No.8-3-641, Flat No.602, Nakshatra Classic, Yellareddy Guda, Hyderabad, Telangana State - 500073.
7. Peyyala Anusha, D/o. Ramesh Kumar, Aged about 35 years, R/o.D.No. 10-2-289/67-68/1, Flat No.501, Sri Durga Bramara Towers, Santi Nagar, Asif Nagar, Hyderabad, Telangana State - 500073.

...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 Order or direction particularly, one in the nature of writ of Mandamus declaring the action of Respondent Nos. 2 to 5 in attempting to conduct a survey and fix the boundaries of the land measuring to an extent of Ac. 1.16 cents in R.S.No.191/2A and an extent of Ac.1.50 cents in R.S.No.191/2B, situated in Ramaraogudem Village, Denduluru Mandal, Eluru District, without giving notice to the petitioners and under the influence of Respondent Nos. 6 and 7. This action is being undertaken despite the existence of a civil dispute in O.S.No.99/2024, which is pending adjudication before the Hon'ble Additional Civil Judge (Senior Division), Eluru. The said actions are arbitrary, illegal, and violative of Articles 14 and 21 of the Constitution of India and consequently direct the respondents not to conduct a survey and fix the boundaries of the land until the outcome of the civil suit.

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 grant to stay on Survey of the land measuring Ac. 1.16 cents in R.S. No. 191/2A and Ac. 1.50 cents in R.S. No. 191/2B, situated in Ramaraogudem Village, Denduluru Mandal, Eluru District and pass orders or orders in accordance with the law pending disposal of the above writ petition.

Counsel for the Petitioner: SRI ALLA TARUN KUMAR

Counsel for the Respondent Nos. 1 to 5: GP FOR REVENUE

Counsel for the Respondent Nos. 6 & 7: ----

The Court made the following: ORDER



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

[3329]

**TUESDAY ,THE EIGHTEENTH DAY OF MARCH
TWO THOUSAND AND TWENTY FIVE**

PRESENT

THE HONOURABLE SRI JUSTICE VENKATESWARLU NIMMAGADDA

WRIT PETITION NO: 6851/2025

Between:

Kali Ramarao and Others

...PETITIONER(S)

AND

The State Of Andhra Pradesh and Others

...RESPONDENT(S)

Counsel for the Petitioner(S):

1.ALLA TARUN KUMAR

Counsel for the Respondent(S):

1.GP FOR REVENUE

The Court made the following:

THE HON'BLE SRI JUSTICE VENKATESWARLU NIMMAGADDA

WRIT PETITION No.6851 OF 2025

ORDER:-

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

“ to issue a Writ, Order or direction particularly one in the nature of writ of Mandamus declaring the action of Respondent Nos. 2 to 5 in attempting to conduct a survey and fix the boundaries of the land measuring to an extent of Ac.1.16 cents in R.S.No.191/2A and an extent of Ac.1.50 cents in R.S.No.191/2B, situated in Ramaraogudem Village,Denduluru Mandal,Eluru District without giving notice to the petitioners and under the influence of Respondent Nos.6 and 7.This action is being undertaken despite the existence of a civil dispute in O.S.No.99/2024, which is pending adjudication before the Hon'ble Additional Civil Judge (Senior Division),Eluru. The said actions are arbitrary, illegal and violative of Articles 14 and 21 of the Constitution of India and consequently direct the respondents not to conduct a survey and fix the boundaries of the land until the outcome of the civil suit and to pass such other order or orders...”

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

3. The case of the petitioners herein is that the respondent Nos. 2 to 5 herein are proposing to conduct survey in respect of land admeasuring to an extent of Ac.1.16 cents in R.S.No.191/2A and an extent of Ac.1.50 cents in R.S.No.191/2B situated at Ramaraogudem Village, Denduluru Mandal, Eluru District without issuing any notice to the petitioners and without following procedure as contemplated under the provisions of the Andhra Pradesh Survey and Boundaries Act, 1923. Hence, writ petition.

4. On the other hand, learned Government Pleader submits that if the respondents are proposing to conduct survey they shall follow due procedure as contemplated under the provisions of Andhra Pradesh Survey and Boundaries Act, 1923.

5. Having regard to the submissions made by the learned counsel for the petitioners and learned Government Pleader for the respondents, on perusal of the material placed on record, this Court is of the considered view that the present writ petition can be disposed of, directing the respondents if the respondents intend to conduct survey in respect of the subject property, they shall follow the due procedure as contemplated under the provisions of Andhra Pradesh Survey and Boundaries Act, 1923, after issuing notices to all the parties concerned by mentioning time and date, in accordance with law.

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

Consequently, Miscellaneous Petitions, if any, pending in the writ petition shall stand closed.

Sd/- G. HELA NAIDU
ASSISTANT REGISTRAR

//TRUE COPY//

SECTION OFFICER

To,

1. The Principal Secretary, Department of Revenue, 4th Block, Ground Floor, Room No135, A.P Secretariat Office, Velagapudi, Amaravathi, Guntur District, Andhra Pradesh.
2. The District Collector, Eluru, Eluru District, Andhra Pradesh.
3. The Revenue Divisional Officer, Denduluru Mandal, Eluru District, Andhra Pradesh.
4. The Tahsildar, Ramaraogudem Village, Denduluru Mandal, Eluru District, Andhra Pradesh.

5. The Manal Surveyor, Denduluru Mandal, Eluru District, Andhra Pradesh.
6. Peyyala Sravanthi, D/o. (Late) Avinash, R/o.D.No.8-3-641, Flat No.602, Nakshatra Classic, Yellareddy Guda, Hyderabad, Telangana State - 500073.
7. Peyyala Anusha, D/o. Ramesh Kumar, R/o.D.No. 10-2-289/67-68/1, Flat No.501, Sri Durga Bramara Towers, Santi Nagar, Asif Nagar, Hyderabad, Telangana State - 500073
8. One CC to Sri Alla Tarun Kumar Advocate [OPUC]
9. Two CCs to GP for Revenue, High Court of Andhra Pradesh. [OUT]
10. Three CD Copies

TF
ssb

HIGH COURT

DATED:18/03/2025

ORDER

WP.No.6851 of 2025



DISPOSING OF THE W.P., WITHOUT COSTS