

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

**WEDNESDAY, THE NINETEENTH DAY OF MARCH**  
**TWO THOUSAND AND TWENTY FIVE**

**PRESENT**

**THE HONOURABLE SRI JUSTICE VENKATESWARLU NIMMAGADDA**  
**WRIT PETITION NO: 6941 OF 2025**



**Between:**

Vemareddy Sarada, W/o. Sundararami Reddy, Age 70 years, Resident of  
Momidi Village, Chillakuru Mandal, Tirupati District

**...PETITIONER**

**AND**

1. The State of Andhra Pradesh, rep by its Principal Secretary, Revenue Department, Secretariat, Velagapudi, Guntur District
2. The District Collector, Tirupati District at Tirupati
3. The Revenue Divisional Officer, Guduru Division, Guduru, Tirupati District
4. The Tahsildar, Chillakur Mandal Chillakur, Tirupati 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 an appropriate order or direction more particularly, one in the nature of Writ of Mandamus declaring the action of Respondents in trying to dispossess the petitioner from the land in an extent of Ac. 1.05 Cents in Sy. No. 27 of Momidi Village, Chillakuru Mandal, Tirupati District as illegal, arbitrary, high-handed, ultra vires, against to the principles of natural justice and contrary to law apart from violation of Article 300-A of the Constitution of India and consequentially direct the Respondents not to dispossess the petitioner from the land in an extent of Ac. 1.05 Cents in Sy. No. 27 of Momidi Village, Chillakuru Mandal, Tirupati District without following the due process of law in the interest of justice.

**IA NO: 1 OF 2025**

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 in an extent of Ac.1.05 cents in Sy. No. 272 of Momidi Village, Chillakuru Mandal, Tirupati District pending disposal of the above Writ Petition in the interest of justice.

**Counsel for the Petitioner: SRI KAMBHAMPATI RAMESH BABU**

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

**The Court made the following: ORDER**

APHC010136342025



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

**[3329]**

**WEDNESDAY ,THE NINETEENTH DAY OF MARCH  
TWO THOUSAND AND TWENTY FIVE**

**PRESENT**

**THE HONOURABLE SRI JUSTICE VENKATESWARLU NIMMAGADDA**

**WRIT PETITION NO: 6941/2025**

**Between:**

**Vemareddyn Sarada**

**...PETITIONER**

**AND**

**The State Of Ap and Others**

**...RESPONDENT(S)**

**Counsel for the Petitioner:**

**1.KAMBHAMPATI 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.6941 OF 2025

ORDER:-

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

*"to issue an appropriate order or direction more particularly one in the nature of Writ of Mandamus declaring the action of Respondents in trying to dispossess the petitioner from the land in an extent of Ac.1.05 Cents in Sy.No.27 of Momidi Village, Chillakuru Mandal, Tirupati District as illegal, arbitrary, highhanded, ultra vires against to the principles of natural justice and contrary to law apart from violation of Article 300-A of the Constitution of India and consequentially direct the Respondents not to dispossess the petitioner from the land in an extent of Ac.1.05 Cents in Sy.No.27 of Momidi Village, Chillakuru Mandal, Tirupati District without following the due process of law in the interest of justice and pass and pass such other order or orders..."*

2. The case of the petitioner is that the petitioner herein is the absolute owner and possessor of the land admeasuring to an extent of Ac.1.05 cents in Sy.No.272 of Momidi Village, Chillakuru Mandal, Tirupati District. He further submits that originally the total extent of land admeasuring to an extent of Ac.2.84 cents in Sy.No.272 of Momidi Village, is included in the holdings of petitioner's father-in-law. Out of the said land, an extent of Ac.0.84 cents was surrendered during the land ceiling proceedings as surplus land by her father in law. As such, out of the remaining Ac.2.00 cents in Sy.No.272, the petitioner along with her family members are in possession and enjoyment of Ac.1.05 cents and the remaining land i.e. an extent of Ac.1.79 cents (Ac.0.95 cents and Ac.0.84 cents) is occupied by the houses and burial ground. While so, the total extent of land i.e., Ac.2.84 cents in Sy.No.272 of the subject

village is recorded as Government land as per the revenue records. For which, the petitioner submitted her representation dated 25.09.2024 to respondent No.4 requesting him to rectify the mistake in the adangals and record the petitioner's name in the revenue records. Without considering the said request, on 13.03.2025, the respondent authorities are interfering with the peaceful possession and enjoyment of the subject property of the petitioner, which is illegal and contrary to law. Aggrieved by the same, the petitioner herein filed the present writ petition.

3. Heard learned counsel for the petitioner and learned Government Pleader for revenue for the respondents.

4. During hearing, learned counsel for the petitioner, without touching the merits of the case, requested this Court to issue a direction to the respondents not to dispossess the petitioner from the subject property without following due process of law.

5. On the other hand, learned Government Pleader for the respondents submits that if the respondents intend to interfere with the peaceful possession and enjoyment of the subject property of the petitioner, the respondents would follow due process of law.

6. Having regard to the submissions made by the learned counsel for the petitioner and learned Government pleader for the respondents, it is settled proposition of law that when the petitioner is in settled possession and enjoyment of the property, the respondents are not entitled to interfere with

the possession and enjoyment of the petitioner and such highhanded action of the respondents would amount to depriving the petitioner's constitutional right guaranteed under Article 300-A of the Constitution of India, besides violation of Article 14 of the Constitution of India. Even assuming for a moment that this petitioner's possession is illegal, still, the petitioner is required to be afforded an opportunity before taking appropriate action and in view of the law declared by the Apex Court in "**Rame Gowda (dead) by L.Rs. v. M.Varadappa Naidu (Dead) by L.Rs.**"<sup>1</sup>, when the petitioner is in settled possession and enjoyment of the property, he cannot be dispossessed, without following due process of law. Therefore, the respondents are directed not to dispossess the petitioner from the subject property, except by following due process of law.

7. With the above direction, the writ petition is disposed of, with the consent of both the counsel. No costs.

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

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<sup>1</sup> 2004 (1) SCC 769

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Sd/- N. NAGAMMA  
ASSISTANT REGISTRAR

  
SECTION OFFICER

To,

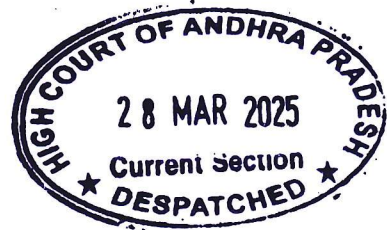
1. The Principal Secretary, Revenue Department, State of Andhra Pradesh, Secretariat, Velagapudi, Guntur District
2. The District Collector, Tirupati District at Tirupati
3. The Revenue Divisional Officer, Guduru Division, Guduru, Tirupati District
4. The Tahsildar, Chillakur Mandal Chillakur, Tirupati District.
5. One CC to Sri Kambhampati Ramesh Babu, Advocate [OPUC]
6. Two CCs to GP for Revenue, High Court of Andhra Pradesh. [OUT]
7. Three CD Copies.

**HIGH COURT**

**DATED:19/03/2025**

**ORDER**

**WP.No.6941 of 2025**



**DISPOSING OF THE W.P. WITHOUT COSTS**