

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: 6930 OF 2025

Between:

1. Rasool Noorjahan, w/o late SA Rafak, Aged about 57 years, R/o D.No.27-100/7, Baazar Street, Palamaner Village, Palamaner Mandal, Chittoor District New Pet,
2. Mohammad Azaruddin, s/o SA Rafak, Aged about 32 years, R/o D.No.27-100/7, Baazar Street, Palamaner Village, Palamaner Mandal, Chittoor District

...PETITIONER

AND

1. The State of Andhra Pradesh, Rep by its Principal Secretary, Revenue Department Secretariat, Velagapudi, Amaravathi Guntur, Andhra Pradesh
2. The State of Andhra Pradesh, Rep by its Principal Secretary, Municipal Administration and Urban Development Department Secretariat, Velagapudi, Amaravathi, Guntur, Andhra Pradesh
3. The State of Andhra Pradesh, Rep by its Principal Secretary, Home Department Secretariat, Velagapudi, Amaravathi Guntur, Andhra Pradesh
4. The District Collector, Chittoor District, Andhra Pradesh
5. The Revenue Divisional Officer, Palamaner, Chittoor District, Andhra Pradesh
6. The Tahsildhar, Palamaner Mandal, Chittoor District
7. The Palamaner Municipality, Rep by its Commissioner, Palamaner, Chittoor District, Andhra Pradesh

5

8. The Station House Officer, Palamaner PS, Palamaner, Chittoor District, Andhra Pradesh

...RESPONDENTS

Petition under Article 226 of the Constitution of India is filed praying that in the circumstances stated in the affidavit filed therewith, the High Court may be pleased to issue an appropriate writ order or direction preferably a Writ in the nature of Mandamus for declaring the action of the Respondents particularly the Respondents No.6 and 7 in trying to disposes the Petitioner No.1 from their land to an extent of 129.83 Sq Yards in D.No.12-122, Basavanna Katta Street, Revenue Ward 12, Palamaner Village or Sy.No.568/2 of Palamaner Village, Palamaner Mandal, Chittoor District and Petitioner No.2 from their land to an extent of 81.77 Sq Yards in D.No.12-122A, Basavanna Katta Street, Revenue Ward 12, Palamaner Village or Sy.No.568/2 of Palamaner Village, Palamaner Mandal, Chittoor District Total Extent of 211.6 Sq Yards at the instance of political influence from land grabbers is illegal, arbitrary, and violative of Article 14, 19, 21 of Constitution of India and further to declare the above lands as private lands and to consequently direct the Respondents more particularly Respondent No.6 and Respondent No.7 not to dispossess the Petitioners from their private lands and direct the Respondent No.8 to take action against the land grabbers and protect the Petitioners subject land from land grabbing.

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 direct the Respondents not to dispossess the Petitioner No.1 from their land to an extent of 129.83 Sq Yards in D.No.12-122, Basavanna Katta Street, Revenue Ward 12, Palamaner Village or Sy.No.568/2 of Palamaner Village, Palamaner Mandal, Chittoor District and Petitioner No.2 from their land to an extent of 81.77 Sq Yards in D.No.12-122A, Basavanna Katta Street, Revenue Ward 12, Palamaner Village or

Sy.No.568/2 of Palamaner Village, Palamaner Mandal, Chittoor District,
Total Extent of 211.6 Sq Yards.

Counsel for the Petitioner :SRI. N BHARATH SIMHA REDDY

Counsel for the Respondent NO's. 3 & 8: GP FOR HOME

Counsel for the Respondent No's. 1, 4, 5 & 6: GP FOR REVENUE

**Counsel for the Respondent No.2: GP FOR MUNICIPAL & ADMN URBAN
DEV**

Counsel for the Respondent No.7: SRI G LAKSHMI NARAYANA

The Court made the following ORDER:



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: 6930/2025

Between:

Rasool Noorjahan and Others

...PETITIONER(S)

AND

The State Of Ap and Others

...RESPONDENT(S)

Counsel for the Petitioner(S):

1.N BHARATH SIMHA REDDY

Counsel for the Respondent(S):

1.GP FOR HOME

2.GP FOR REVENUE

3.GP FOR MUNCIPAL ADMN URBAN DEV

The Court made the following:

THE HONOURABLE SRI JUSTICE VENKATESWARLU NIMMAGADDA

WRIT PETITION NO:6930/2025

ORDER:

This Writ Petition is filed under Article 226 of the Constitution of India seeking the following relief:

“to issue an appropriate writ, order or direction preferably a Writ in the nature of Mandamus for declaring the action of the Respondents particularly the Respondents Nos.6 and 7 in trying to disposes the Petitioner No.1 from their land to an extent of 129.83 Sq Yards in D.No.12-122, Basavanna Katta Street, Revenue Ward 12, Palamaner Village or Sy.No.568/2 of Palamaner Village, Palamaner Mandal, Chittoor District and Petitioner No.2 from their land to an extent of 81.77 Sq.Yards in D.No.12-122A, Basavanna Katta Street, Revenue Ward 12, Palamaner Village or Sy.No.568/2 of Palamaner Village, Palamaner Mandal, Chittoor District Total Extent of 211.6 Sq Yards at the instance of political influence from land grabbers is illegal, arbitrary and violative of Article 14, 19, 21 of Constitution of India and further to declare the above lands as private lands and to consequently direct the Respondents more particularly Respondent No.6 and Respondent No.7 not to dispossess the Petitioners from their private lands and direct the Respondent No.8 to take action against the land grabbers and protect the Petitioners subject land from land grabbing and pass such other order or orders”

2. Heard learned counsel for the petitioners and learned Government Pleader for Revenue and Sri. G.Lakshmi Narayana, learned Standing Counsel appearing for the respondents.

3. Copy of Encumbrance Certificate was placed on record. The said copy *prima facie* establish that the petitioners are in possession of their respective subject lands.
4. During hearing, learned counsel for the petitioners, without touching the merits of the case, requested this Court to issue a direction to the respondents not to dispossess the petitioners from their respective lands without following due process of law.
5. Learned Government Pleader for Revenue submits that if the respondents intend to dispossess the petitioners from their respective lands, they would follow due process of law.
6. Admittedly, the petitioners are in possession and enjoyment of their respective lands. When the petitioners are in settled possession and enjoyment of their lands, the petitioners cannot be dispossessed, without following due process of law in view of the law declared by the Hon'ble Apex Court in "***Rame Gowda (dead) by L.Rs. v. M.Varadappa Naidu (Dead) by L.Rs¹***". Therefore, the respondents are directed, not to dispossess the petitioners from their respective lands, except by following due process of law.

1) 2004(1) SCC 769

7. With the above direction, the writ petition is disposed of at the stage of admission with the consent of both the learned counsel. There shall be no order as to costs.

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

Sd/- K. TATA RAO
DEPUTY REGISTRAR

//TRUE COPY//

 
SECTION OFFICER

To,

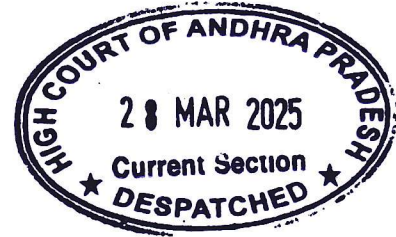
1. The Principal Secretary, Revenue Department, State of AP, Secretariat, Velagapudi, Amaravathi Guntur, Andhra Pradesh
2. The Principal Secretary, Municipal Administration and Urban Development Department, State of Andhra Pradesh, Secretariat, Velagapudi, Amaravathi, Guntur, Andhra Pradesh
3. The Principal Secretary, Home Department, State of Andhra Pradesh, Secretariat, Velagapudi, Amaravathi Guntur, Andhra Pradesh
4. The District Collector, Chittoor District, Andhra Pradesh
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6. The Tahsildhar, Palamaner Mandal, Chittoor District
7. The Palamaner Municipality, Rep by its Commissioner, Palamaner, Chittoor District, Andhra Pradesh
8. The Station House Officer, Palamaner PS, Palamaner, Chittoor District, Andhra Pradesh
9. One CC to SRI. N BHARATH SIMHA REDDY, Advocate [OPUC]
10. One CC to SRI G LAKSHMI NARAYANA, Advocate [OPUC]
11. Two CCs to GP FOR REVENUE, High Court Of Andhra Pradesh. [OUT]
12. Two CCs to GP FOR HOME, High Court Of Andhra Pradesh. [OUT]
13. Two CCs to GP FOR MUNICIPAL & ADMN URBAN DEV, High Court Of Andhra Pradesh. [OUT]
14. Three CD Copies

HIGH COURT

DATED:19/03/2025

ORDER

WP.No.6930 of 2025



DISPOSING OF THE W.P. WITHOUT COSTS