

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

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

PRESENT



HONOURABLE SRI JUSTICE VENKATESWARLU NIMMAGADDA

WRIT PETITION NO: 7040 OF 2025

Between:

Mannepalli Rajeswari, W/o. Penchala Narasaiah, Aged about 33 years, Occ: Cultivation, R/o. Marlapudi Village and Post, Sydapuram Mandal, SPSR Nellore District.

...PETITIONER

AND

1. The State of Andhra Pradesh, Rep. by its Principal Secretary, Department of Revenue, Secretariat, Velagapudi, Amaravathi, Guntur District.
2. The District Collector, Sri Potti Sri Ramulu Nellore District, Nellore.
3. The Revenue Divisional Officer, Nellore Revenue Division, Sri Potti Sri Ramulu Nellore District.
4. The Thasildar, Sydapuram Mandal, Sri Potti Sri Ramulu Nellore District.
5. The Village Surveyor, Kommipadu Grama Secretariat, Sydapuram Mandal, SPSR Nellore District.
6. Potluru Krishnaiah, S/o. Venkata Ramaiah, Aged about 65 years, Occ: Cultivation, R/o. Peramrajupalli Village, Marlapudi Post, Sydapuram Mandal, SPSR Nellore District.

...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 the Writ, Order or direction more particularly one in the nature of Writ of Mandamus to set aside the notice dated 13.03.2025 of the 5th Respondent issued on behalf of the 4th respondent office, subsequently to direct the Respondents 4 and 5 not to interfere into the land of the Petitioner in Survey No. 53 - 2 an extent of Ac. 0.60 cents

and Survey No. 53 - 3 an extent of Ac. 1.07 cents totally an extent of Ac. 1.67 cents of land situated at Edulavari Khandrika, Sydapuram Mandal, SPSR Nellore District.

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 writ petition, the High Court may be pleased to suspend the notice dated 13.03.2025 of the 5th Respondent issued behalf of the 4th respondent office pending disposal of the writ petition.

Counsel for the Petitioner : SRI K. RAMA KOTESWARA RAO

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

Counsel for the Respondent No.6 : NONE APPEARED

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: 7040/2025

Between:

Mannepalli Rajeswari

...PETITIONER

AND

The State Of Ap and Others

...RESPONDENT(S)

Counsel for the Petitioner:

1.K RAMA KOTESWARA RAO

Counsel for the Respondent(S):

1.GP FOR REVENUE

The Court made the following:

THE HONOURABLE SRI JUSTICE VENKATESWARLU NIMMAGADDA

WRIT PETITION NO:7040/2025

ORDER:

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

"to issue the Writ, Order or direction more particularly one in the nature of Writ of Mandamus to set aside the notice dated 13.03.2025 of the 5th Respondent issued on behalf of the 4th respondent office subsequently to direct the Respondent Nos. 4 and 5 not to interfere into the land of the Petitioner in Survey No.53-2 an extent of Ac.0.60 cents and Survey No 53-3 an extent of Ac.1.07 cents totally an extent of Ac.1.67 cents of land situated at Edulavari Khandrika, Sydapuram Mandal, SPSR Nellore District and pass such other order or orders"

2. Heard learned counsel for the petitioner and learned Government Pleader for Revenue for the respondents.
3. Learned counsel for the petitioner submits that the petitioner herein is the absolute owner and possessor of the lands admeasuring to an extent of Ac.0.60 cents in Survey No.53-2 and Ac.1.07 cents in Sy.No 53-3, totalling to an extent of Ac.1.67 cents situated at Edulavari Khandrika, Sydapuram Mandal, SPSR Nellore District having acquired the same through an agreement of sale from the original pattadar and possessor i.e., Sri B.Ravi Kumar Reddy and G.Lakshmi Prasanna, who are the original pattadars of the subject land. Pursuant to the said agreement, the petitioner was in peaceful possession and enjoyment of the subject property. Thereafter, the

respondents conducted survey on 16.05.2023 in respect of the subject property and submitted a report. As per the survey report, the petitioner is in enjoyment of the subject property but on 13.03.2025, contrary to the survey report the respondents again issued notice to the petitioner by the village surveyor for conducting survey afresh, which is illegal and arbitrary and liable to be set aside.

4. On the other hand, learned Government Pleader appearing for the respondents furnished written instructions dated 18.03.2025 issued by respondent No.4, wherein, it is stated that pursuant to the complaint made by respondent No.6, who is claiming title over the subject property, the village surveyor issued the present notice for conducting survey afresh. He further submits that since it is only a notice, the petitioner can submit her objections as well as survey report which was already conducted as contended by the petitioner before the village surveyor. After considering the same, respondent No.4 will pass appropriate orders, in accordance with law.

5. Having regard to the submissions made by the learned counsel for the petitioner 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 is disposed of, directing the petitioner to submit the survey report which was already conducted on 16.05.2023 by the competent authority and also other documents on which basis the petitioner is claiming rights over the subject property within a period of one week from the date of receipt of a copy of this order. On receipt of such report and documents, respondent No.4

is directed consider the same and pass appropriate orders, within a period of four (04) months, thereafter, after providing opportunity of hearing to the petitioner as well as other stake holders, if any. In the meanwhile, respondents are directed not to interfere with the peaceful possession and enjoyment of the subject property of the petitioner.

6. With the above directions, 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.

//TRUE COPY//

SD/- B CHITTI JOSEPH
ASSISTANT REGISTRAR

SECTION OFFICER

To,

1. The Principal Secretary, Department of Revenue, State of AP, Secretariat, Velagapudi, Amaravathi, Guntur District.
2. The District Collector, Sri Potti Sri Ramulu Nellore District, Nellore.
3. The Revenue Divisional Officer, Nellore Revenue Division, Sri Potti Sri Ramulu Nellore District.
4. The Thasildar, Sydapuram Mandal, Sri Potti Sri Ramulu Nellore District.
5. The Village Surveyor, Kommipadu Grama Secretariat, Sydapuram Mandal, SPSR Nellore District.
6. One CC to Sri K. Rama Koteswara Rao, Advocate [OPUC]
7. Two CCs to GP for Revenue, High Court of Andhra Pradesh. [OUT]
8. Three C.D. Copies.

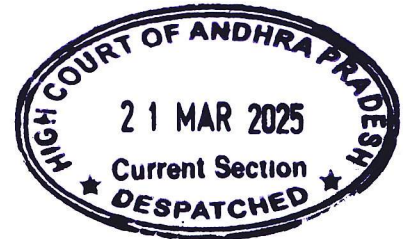
Cnr

HIGH COURT

DATED:19/03/2025

ORDER

WP.No.7040 of 2025



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