

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

TUESDAY, THE FIRST DAY OF APRIL
TWO THOUSAND AND TWENTY FIVE

: PRESENT:

THE HONOURABLE SRI JUSTICE SUBBA REDDY SATTI

WRIT PETITION NO: 7989 OF 2025



Between:

Yalamanchili Sri Chaitanya Dev, Male, aged 54 years, Occ: Cultivation, S/o.
Yalamanchili Mahesh Chandra Chowdary (Late), R/o. Navya Enclave, Flat
No.204, Ashoknagar, Eluru. Eluru District

Petitioner

AND

1. The State of Andhra Pradesh, rep.by its Principal Secretary to government, (Revenue and Land Acquisition Department), A.P. Secretariat, Velagapudi, Amaravathi. Guntur District.
2. District Collector, Eluru, Eluru District.
3. Revenue Divisional Officer, Collector Office Compound, Eluru, Eluru District.
4. Tahsildar, Pedapadu (M) and (V), Eluru District.
5. Koniki Gram Panchayat, rep. by its Panchayat Secretary Koniki (V), Pedapadu (M), Eluru District.
6. Superintending Engineer, A.P.E.P.D.C.L, R.R. Pet, Eluru. Eluru District.
7. Assistant Engineer/Commercial and Tech/Operation Division, O/o. Executive Engineer/Operation, A.P.E.P.D.C.L. Eluru, Eluru 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 Writ, order or direction more particularly one in the nature of Writ of Mandamus declaring the action of Respondents now proposing to construct Electrical Sub-Station in Petitioner's house site of an extent of Ac.50.00 cents out of house of an extent of Ac.3.50 cents in R.S.No.52 and 52/1 without initiating the Land Acquisition Proceedings and dumping mud in petitioners land as highly illegal, arbitrary and contrary to law and clear violation of Articles 14,21 and 300A of the Constitution of India and clear violation of Principles of Natural Justice and consequently to direct the respondents not to construct Electrical Sub-Station in petitioners house site of an extent of Ac. 50.00 cents out of house site of an extent of Ac.3.30 cents in R.S.No. 52 and 52/1 situated in Koniki (V), Pedapadu (M), Eluru District and not to dump mud in petitioners land.

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 construct Electrical Sub- Station in Petitioner's house site of an extent of Ac.50.00 cents out of Ac.3.30 cents of house site situated in R.S.No.52, and R.S.No.52/1 situated in Koniki (V) Pedapadu (M), Eluru District, Pending disposal of WP No.7989 of 2025, on the file of the High Court.

The petition coming on for hearing, upon perusing the Petition and the affidavit filed in support thereof and upon hearing the arguments of Sri B P Raju, Advocate for the Petitioner, and of GP for Land Acquisition for the Respondent Nos. 1 to 4, and of Sri Y.Koteswara rao, Standing Counsel for Respondent No.5, and of Sri V.V Satish, Standing Counsel for Respondent Nos. 6 & 7 and the Court made the following.

ORDER

Complaining interference by respondent No.5 in an extent of Ac.00-50 cents out of Ac.3-50 cents of land in R.S.Nos.52 and 52/1, Koniki village, Pedapadu Mandal, Eluru District, without initiating proceedings under the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act 20 of 2013 (for short 'the Act'), the above writ petition is filed.

Heard Sri B.P. Raju, learned counsel for the petitioner and Sri Y. Koteswar Rao, learned standing counsel for respondent No.5.

Learned standing counsel for respondent No.5 would submit that Gram Panchayat passed resolution No.26 dated 07.12.2024, allotting Ac.00-50 cents of land in survey No.52/2, which is government land and respondent No.5 is not interfering with the petitioner's land in R.S. Nos.52 and 52/1.

In reply, learned counsel for the petitioner would submit that respondent No.5 is leveling the land in R.S.Nos.52 and 52/1.

Given the above facts and circumstances of the case, respondent No.5 or any other authority shall not interfere with the petitioner's land in an extent of Ac. 1-50 in R.S. No.52; Ac.00-80 cents in R.S.No.52/1 and Ac.1-00 cents in R.S.No.52 of Koniki village, Pedapadu Mandal, Eluru District, without following due process of law.

Post along with W.P.No.5211 of 2025.

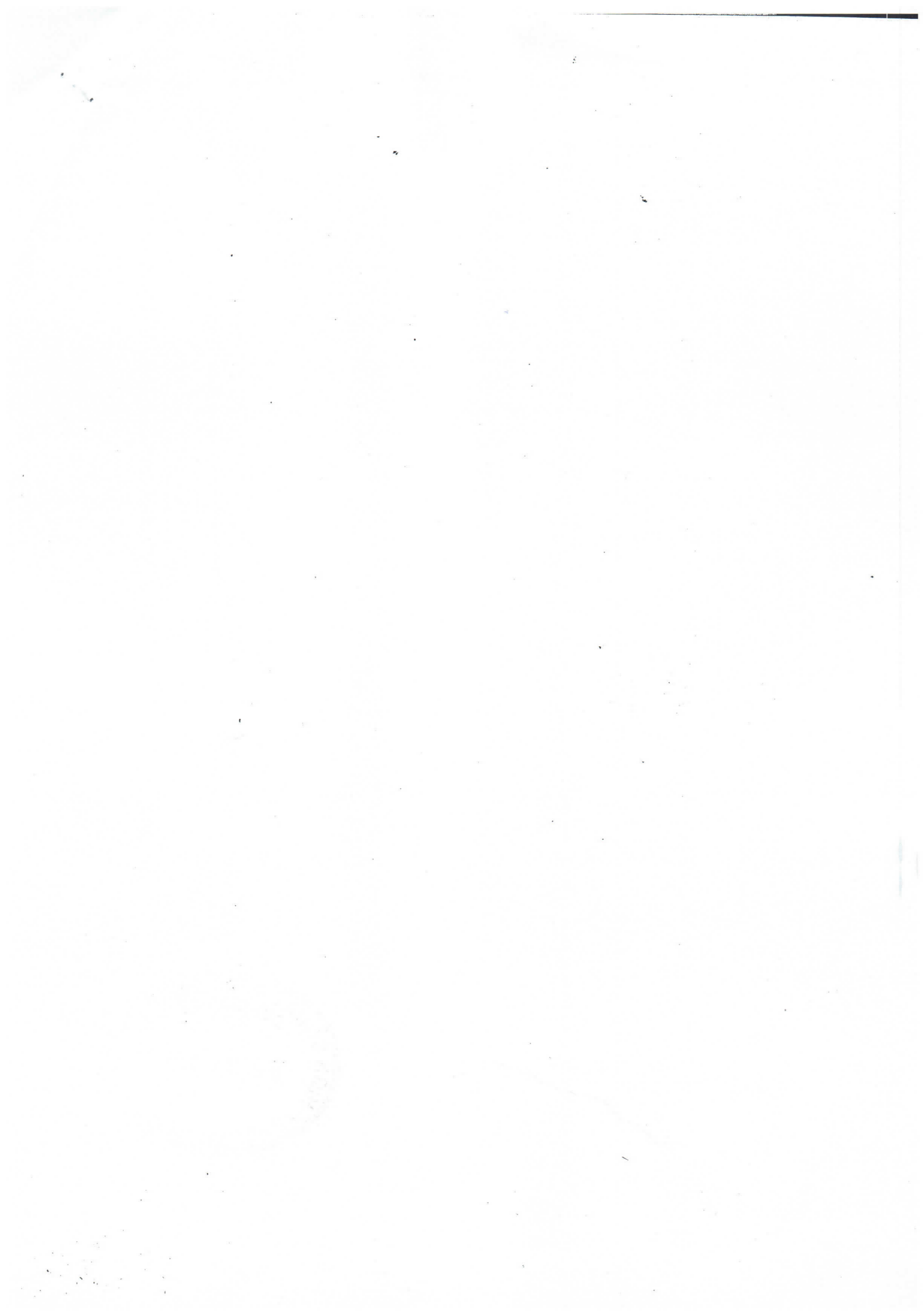
SD/- N.NAGAMMA
ASSISTANT REGISTRAR
[Signature]
SECTION OFFICER

//TRUE COPY//

For ASSISTANT REGISTRAR

To,

1. The Principal Secretary to Government, State of Andhra Pradesh, (Revenue and Land Acquisition Department), A.P. Secretariat, Velagapudi, Amaravathi. Guntur District.
2. The District Collector, Eluru, Eluru District.
3. The Revenue Divisional officer., Collector Office Compound, Eluru. Eluru District.
4. The Tahsildar, Pedapadu (M) and (V), Eluru District.
5. The Panchayat Secretary, Koniki Gram Panchayat, Koniki (V), Pedapadu (M), Eluru District. (by RPAD)
6. The Superintending Engineer, A.P.E.P.D.C.L, R.R. Pet, Eluru. Eluru District.
7. The Assistant Engineer/Commercial and Tech/Operation Division, O/o. Executive Engineer/Operation, A.P.E.P.D.C.L. Eluru. Eluru District. (1 to 7 by RPAD)
8. One CC to Sri B P Raju, Advocate [OPUC]
9. One CC to Sri Y.Koteswara Rao, Standing Counsel [OPUC]
10. One CC to Sri V.V. Satish, Standing Counsel [OPUC]
11. Two CCs to GP for Land Acquisition, High Court of Andhra Pradesh [OUT]
12. Two CCs to GP for Revenue, High Court of Andhra Pradesh [OUT]
13. One spare copy



HIGH COURT

SRS, J

DATED: 01/04/2025

POST ALONG WITH W.P.NO.5211 OF 2025.

ORDER

WP.NO.7989 OF 2025

INTERIM DIRECTION

