

**IN THE HIGH COURT OF ANDHRA PRADESH AT AMARAVATI
(SPECIAL ORIGINAL JURISDICTION)**

**WEDNESDAY ,THE FIRST DAY OF APRIL
TWO THOUSAND AND TWENTY SIX**

:PRESENT:

**THE HONOURABLE SRI JUSTICE SUBBA REDDY SATTI
WRIT PETITION NO: 8402 OF 2026**



Between:

1. Sabbella Srinivasa Reddy, s/o Sabbella Ramachandra Reddy, Aged about 40 years, Occ Business, R/o. D.No. 1-43, Komaripalem village, Bikkavolu Mandal, East Godavari District-533342.
2. Sabbella Adilakshmi, w/o.Sabbella Srinivasa Reddy, Aged about 37 years, Occ Housewife, R/o. D.No. 1-43, Komaripalem village, Bikkavolu Mandal, East Godavari District-533342

...Petitioners

AND

1. The State Of Andhra Pradesh, Represented by its Principal Secretary, Panchayat Raj and Rural Development Department, Secretariat Buildings, Secretariat, Velagapudi, Amaravati, Guntur District-522238.
2. The District Collector (Panchayat Raj Wing), East Godavari District. At Rajamahendravaram-533101.
3. The Assistant Engineer, Panchayat Raj and Rural Development Department, Rajamahendravaram, East Godavari District.
4. The Mandal Development Officer, Bikkavolu Mandal, Bikkavolu, East Godavari District-533343.
5. The Tahsildar, Bikkavolu Mandal, Bikkavolu, East Godavari District-533343
6. The Kommaripalem Gram Panchayat, Represented by its Secretary, Kommaripalem Village, Bikkavolu Mandal, East Godavari District-533342.

...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 or order or direction more particularly one in the

nature of writ of Mandamus declaring the action of the Respondents herein particularly Respondent No. 2 to 6 in interfering with the Petitioners peaceful possession and enjoyment of the land situated at Sy.No.397/1 of Komaripalem Village, Bikkavolu Mandal, East Godavari District wherein the Petitioners building is available with D.No.1-43 and 1-43/1 which was pulled down on 14.06.2025 and laying road in the entire extent of Land wherein the building used to be available without demarcating the Petitioners land as nothing but illegal, erroneous, highhanded and violative of Article 14, 21 and 300 A of The Constitution of India and consequently direct the Respondents No. 2 to 6 not to lay the road in the Land which is in possession and enjoyment of the Petitioners, wherein building with D.No. 1-43 and 1-43/1 available by 14.06.2025 which was pulled down without demarcating the land of the Petitioners .

The petition/Appeal coming on for hearing, upon perusing the Petition and the affidavit filed in support thereof and upon hearing the arguments of A K KISHORE REDDY Advocate for the Petitioner, GP FOR PANCHAYAT RAJ RURAL DEVELOPMENT DEPARTMENT Advocate for the Respondents no 1 to 3, GP FOR REVENUE DEPARTMENT Advocate for the Respondents NO 4 to 5, SRI.Y.KOTESWARA RAO Advocate for the Respondent no 6 and the Court made the following.

ORDER:

Heard Sri A. K Kishore Reddy, the learned counsel for the petitioners. Sri Rajesh Kumar, the learned Assistant Government Pleader for Panchayat Raj appearing for respondents 1 to 4. Ms. Usha, the learned Assistant Government Pleader for Revenue appearing for the respondent No.5 and Sri Chaitanya, learned counsel representing Sri Y. Koteswara Rao, learned Standing Counsel for the 6th respondent.

2. The grievance of the petitioners is that the respondents 2 to 6 are interfering with the peaceful possession and enjoyment of the petitioners property situated in Sy.No.397/1 of Komaripalem Village,

Bikkavolu Mandal, East Godavari District, without following the due process of law.

3. The learned counsel for the petitioners would submit that the 1st petitioner purchased the property admeasuring 72.6 Sq. Yards or 0.1% cents. in Sy No.397/1 of Komaripalem Village, under a registered document dated 22.02.2013 (Ex.P8). The 2nd petitioner purchased the property admeasuring 58.56 Sq. yards in Sy.No.397/1 of Komaripalem Village, under a registered document dated 22.02.2013 (Ex.P9) Learned counsel would also submit that the structure of the petitioners was demolished by the authorities, without following the due procedure.

4. Sri Chaitanya, the learned counsel appearing for the 6th respondent, on instructions of the Panchayat Secretary, would submit that the authorities are intending to lay the road in Sy. No.387. He would also submit that the 1st petitioner constructed two buildings bearing Door Nos. 143 and 143/1 in Sy. No 397/1A, but not in Sy.No.397/1 and the petitioner encroached upon the land belongs to R & B. As per the Survey Report of the Tahsildar, the land of an extent of Ac.1.38 cents is available in Sy. No.387, belongs to R & B. No part of the land in Sy. No.397/1 touched or demolished. Learned counsel would further submit that the sketch annexed to the instructions would indicate the encroachments in Sy. No.385 and also the petitioners' land in Sy. No. 397. He would further submit that the petitioners' own Ac.0.01 cent, but not the land admeasuring 131.16 Sq. yards as claimed by the petitioners under the documents referred supra.

5. To resolve the dispute, this Court deems it appropriate to direct the 5th respondent- Tahsildar to conduct a survey and fix the boundaries to the petitioners' properties and submit the report to this Court. The petitioners shall bear the expenses. The 4th respondent shall adhere to the procedure by issuing notices to all the boundary holders, as mandated in the Andhra Pradesh Survey and Boundaries Act, 1923, before the survey. The petitioners shall cooperate during the survey.

The 6th respondent shall not take any coercive steps with regard to the petitioners' property to an extent of 131.16 Sq. yards in Sy. No.397 (397/1A)

6. Post the matter on 08.04.2026.

SD/- U.SRIDEVI
DEPUTY REGISTRAR

//TRUE COPY//


For ASSISTANT REGISTRAR

To,

1. The Tahsildar, Bikkavolu Mandal, Bikkavolu, East Godavari District-533343 (Despatch/Upload)
2. The Secretary, Kommaripalem Gram Panchayat, Kommaripalem Village, Bikkavolu Mandal, East Godavari District-533342 (Despatch/Upload)
3. One CC to SRI. A K KISHORE REDDY Advocate [OPUC]
4. One CC to SRI.Y.KOTESWARA RAO Advocate [OPUC]
5. Two CCs to GP FOR PANCHAYAT RAJ RURAL DEVELOPMENT DEPARTMENT ,High Court Of Andhra Pradesh. [OUT]
6. Two CCs to GP GP FOR REVENUE DEPARTMENT,High Court Of Andhra Pradesh. [OUT]
7. One spare copy

HIGH COURT

SRS,J

DATED:01.04.2026

LIST THE MATTER ON 08.04.2026

ORDER

WP.No.8402 of 2026

DIRECTION

