



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

[3573]

FRIDAY, THE FIFTEENTH DAY OF MAY
TWO THOUSAND AND TWENTY SIX

PRESENT

THE HONOURABLE SRI JUSTICE BALAJI MEDAMALLI

WRIT PETITION NO: 12239/2026

Between:

1. SK IMAMBI, W/O. CHINNA RAHAMTULLA, MUSLIM, AGED ABOUT 68 YEARS, OCCUPATION AGRICULTURE, R/O. BODAVADA VILLAGE, PAMUR MANDAL, MARKA PURAM DISTRICT.

...PETITIONER

AND

1. THE STATE OF AP, rep. by its principal secretary, Home department, Secretariat, Velagapudi, Amaravathi, Guntur District

...RESPONDENT

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 2 and 3 failed in considering the complaint / representation of the petitioner dated 27.03.2026 against the respondents 4 to 8 for the purpose of the initiating the criminal proceedings in due process of law in respect of the trespassing the land of the petitioner an extent 2.74 cents in Sy. 43/23 agricultural land situated at Bodavada village, Pamum Mandal, Marka Puram dist. as illegally, arbitrary violative of 14, 19,21, and 300-A under the constitution of India and consequently directing the respondents 2 and 3 to consider the complaint / representation of the petitioner dated. 27.03.2026 in view of initiating the criminal proceedings against the respondents No. 4 to 8 in due process law by protecting her rights and pass

IA NO: 1 OF 2026

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 grant of stay restraining the respondents, their men & agents from interfering into the possession of the petitioner land Sy. 43/23 an extent of 2.74 cents situated at Bodavada village, Pamuru mandal, Marka Puram district until pending disposal of the writ petition and pass

Counsel for the Petitioner:

1.KHAJARAHAMATULLA S

Counsel for the Respondent:

1.GP FOR HOME

The Court made the following:

ORDER

The present Writ Petition came to be filed under Article 226 of the Constitution of India seeing the following relief:

“...to issue an appropriate writ, order (or) direction, more particularly one in the nature of Writ of Mandamus declaring the action of respondents 2 and 3 failed in considering the complaint / representation of the petitioner dated 27.03.2026 against the respondents 4 to 8 for the purpose of the initiating the criminal proceedings in due process of law in respect of the trespassing the land of the petitioner an extent 2.74 cents in Sy. 43/23 agricultural land situated at Bodavada village, Pamum Mandal, Marka Puram dist. as illegally, arbitrary violative of 14, 19,21, and 300-A under the constitution of India and consequently directing the respondents 2 and 3 to consider the complaint / representation of the petitioner dated. 27.03.2026 in view of initiating the criminal proceedings against the respondents No. 4 to 8 in due process law by protecting her rights and pass such other order...”

2. The case of the writ petitioner, in brief, is that the petitioner is the absolute owner and possessor of Ac.2.74 cents of agricultural land in Survey No.43/23, having acquired the same through a registered sale deed and being in continuous possession for the past 50 years by cultivating commercial crops. It was further submitted that certain officials attempted to interfere with the petitioner's possession without following due process, compelling the petitioner to file W.P.No.17207 of 2025, wherein directions were issued for mutation proceedings, which are still pending. It was further submitted that the unofficial respondents, despite having no right, title or possession over the subject land, repeatedly interfered with the petitioner's peaceful possession, trespassed into the land, destroyed the Eucalyptus crop cultivated by investing Rs.3,00,000/-, and attempted to dispossess the petitioner forcibly with the support of anti-social elements. Though complaints dated 10.12.2025 and 21.12.2025 were lodged before the police authorities, no action was allegedly

taken. It was also submitted that the respondents continued to threaten the petitioner and obstruct cultivation, necessitating protection and appropriate action in accordance with law. Therefore, the petitioner constrained to file the present writ petition.

3. Heard learned counsel appearing on behalf of the Petitioner and learned Assistant Government Pleader for Home, representing Respondent Nos.1 to 3.

4. During the course of hearing, learned Assistant Government Pleader for Home, on written instructions, submits that, based on the representation dated 27.03.2026 submitted by the petitioner, the respondent authorities conducted a preliminary enquiry and found that civil disputes are pending between the petitioner and the unofficial respondents with regard to the subject land and possession thereof. It was further submitted that the dispute is purely civil in nature, relating to title, ownership, and possession of the property. Therefore, in the absence of any prima facie material disclosing the commission of a cognizable offence and in view of the pending civil disputes between the parties, the matter requires adjudication before the competent Civil Court. Hence, no deliberate inaction or negligence can be attributed to the official respondents.

5. Recording the said submission, the Writ Petition is disposed of. However, it is open to the petitioner to approach the competent Civil Court for appropriate relief, in the event of any interference by the unofficial respondents or any other persons.

Miscellaneous applications pending, if any, shall also stand closed.

JUSTICE BALAJI MEDAMALLI

Date: 15.05.2026

SR

HON'BLE SRI JUSTICE BALAJI MEDAMALLI

Writ Petition No: 12239 of 2026

Date: 15.05.2026

SR