



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

[3233]

WEDNESDAY, THE TWENTY SECOND DAY OF APRIL
TWO THOUSAND AND TWENTY SIX

PRESENT

THE HONOURABLE SRI JUSTICE B KRISHNA MOHAN

WRIT PETITION NO: 10755/2026

Between:

1. TERA SUVARTHAMMA, W/O. VIJAYA RAO, AGED 47 YEARS, RIO.
H.NO.2-19A, SC COLONY, CBCNC CHERCH CENTER,
CHINTALAPUDI VILLAGE AND MANDAL, ELURU DISTRICT, PIN -
534460.

...PETITIONER

AND

1. THE STATE OF ANDHRA PRADESH, REPERSENTED BY ITS
PRINCIPAL SECRETARY, REVENUE DEPARTMENT,
SECRETARIATE, VELAGAPUDI, AN ARAVATI, GUNTUR DISTRICT,
PIN 522239.
2. THE DISTRICT COLLECTOR, ELURU DISTRICT, ELURU, PIN -
534006.
3. THE SUB COLLECTOR, NUZUVEEDU, EIURU DISTRICT, PIN-
521201.
4. THE TAHSILDAR CHINTALAPUDI MANDAL, CHINTALAPUDI,
ELURU DISTRICT, PIN - 534460.

...RESPONDENT(S):

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 topleased to issue order direction more particularly one in the nature of Writ of MANDAMUS to declare the proceedings of the 4th Respondent in ROC No.555/2025/DT ated 18-12-2025 regarding land covered in

R.S.No.360/3 an extent of Ac.1.52 cts situated at Teegalavancha Village, Chintalapudi Mandal, Eluru District as illegal, arbitrary, and contrary to the provisions of the AP Assigned Lands (Prohibition of Transfer) Act 1977, and consequently set aside the same and pass

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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 stay all further proceedings, including eviction of the Petitioner in respect of the land covered in R.S.No.360/3 an extent of Ac.1.52 cts situated at Teegalavancha Village, Chintalapudi Mandal, Eluru District, pending disposal of the above writ petition and pass

Counsel for the Petitioner:

1.P R K AMERANDRA KUMAR

Counsel for the Respondent(S):

1.GP FOR REVENUE

The Court made the following Order:

Heard the learned counsel for the petitioner and the learned Assistant Government Pleader for Revenue appearing for the respondents.

2. This writ petition is filed questioning the order of the 4th respondent dated 18.12.2025, directing to take possession of the land in an extent of Ac.1.52 cents in R.S.No.360-3 of Teegalavancha Village after conducting Panchanama and restoration of the same in favour of the family members of the original assignee, Sri Allam Tatayya S/o Lakshmayya to incorporate the same in Village Accounts under proper attestations.

3. The learned counsel for the petitioner submits that the allegation against the petitioner is that she is in possession of the subject land, which was originally assigned to Sri Allam Tatayya S/o Lakshmayya and as such, the authorities concerned alleged that there is a contravention of Rule 3(1) of the Andhra Pradesh Assigned Lands (POT) Act, 1977 (hereinafter referred as “the Act”) and as such by issuing Form-I and Form-II notices and conducting of enquiry, the above said impugned order was passed by the 4th respondent dated 18.12.2025 as stated above, to take possession of the subject land from the petitioner herein.

4. He further contends that the 4th respondent ought not to have initiated proceedings under the said Act, since for the subject land, the petitioner was given patta handing over the possession of the agricultural land to an extent of

Ac.2.52 cents in R.S.No.360-3 of Teegalavancha Village along with the other extents as detailed therein. Hence, the 4th respondent cannot constitute that the petitioner is in illegal possession of the subject land showing the original assignee as Sri Allam Tatayya S/o Lakshmayya. Aggrieved by the above said action of the 4th respondent, this writ petition is filed.

5. On the other hand, the learned Assistant Government Pleader for Revenue appearing for the respondents submits that the original assignee is the legal heir, who has not been made as party respondent to this writ petition. However, the impugned order of the 4th respondent dated 18.12.2025 is an appealable order before the 3rd respondent under Section 4 (A)(1) of the said Act, which can be preferred within 90 days from the date of receipt of the said order.

6. In view of the above said facts and circumstances and upon consideration of the rival submissions made, since the petitioner has got an alternative remedy to raise all the objections, including the applicability of the provisions of the said Act, the petitioner is permitted to prefer an appeal against the order of the 4th respondent dated 18.12.2025 before the 3rd respondent within a period of two (02) weeks from the date of receipt of this order. On receipt of such appeal from the petitioner, the 3rd respondent shall consider and dispose of the same, strictly in accordance with law, by hearing all the parties concerned, including the petitioner and other interested persons over the subject land, giving due opportunity, upon verification of the records

and the subject land, appropriate decision shall be taken on its own merits as expeditiously as possible, preferably within a period of four (04) months thereafter. Till filing of the appeal before the 3rd respondent, there shall be an order of *status quo* as on today to be maintained with respect to the subject land covered under the impugned order of the 4th respondent dated 18.12.2025. If any further interim relief is required in the appeal, the same can be sought before the Appellate Authority by the petitioner and if so made, the same shall be considered on its own merits. In default of preferring the appeal as directed above, the interim protection granted by this Court stands automatically vacated.

7. Accordingly, this Writ Petition is disposed of. Interim order if any deemed to have been vacated. There shall be no order as to costs.

As a sequel, Interlocutory Applications pending, if any, shall stand closed.

JUSTICE B. KRISHNA MOHAN

22.04.2026
PGT