



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

[3233]

THURSDAY, THE THIRTIETH DAY OF APRIL
TWO THOUSAND AND TWENTY SIX

PRESENT

THE HONOURABLE SRI JUSTICE B KRISHNA MOHAN

WRIT PETITION NO: 12225/2026

Between:

1. DEVARAPU ARUNA KUMARI, W/O CHANDRA BABU, AGED ABOUT 41 YEARS, HOUSE WIFE, D.NO. 107/16, 4TH STAGE, 2ND PHASE, VIJAYANAGARA EXTENSION, MYSORE, KARNATAKA STATE - 570017.

...PETITIONER

AND

1. THE STATE OF AP, REP. BY ITS PRINCIPAL SECRETARY, REVENUE DEPARTMENT, A.P. SECRETARIAT, VELAGAPUDI, GUNTUR DISTRICT.-522238
2. THE DISTRICT COLLECTOR, MARKAPURAM DISTRICT, MARKAPURAM.-523316
3. THE JOINT DISTRICT COLLECTOR, MARKAPURAM DISTRICT, MARKAPURAM.-523316
4. THE SUB COLLECTOR/REVENUE DIVISIONAL OFFICER, KANIGIRI, MARKAPURAM DISTRICT.-523230
5. THE TAHSILDHAR, PAMUR MANDAL, MARKAPURAM DISTRICT.-523108
6. THE REVENUE INSPECTOR, PAMUR MANDAL, MARKAPURAM DISTRICT.-523108
7. THE VILLAGE REVENUE OFFICER AND VILLAGE SURVEYOR, TIRAGANDLA DINNE VILLAGE, MARKAPURAM DISTRICT.-523108

...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 a Writ Order or a direction, more particularly one in the nature of Writ of Mandamus, by setting a side the impugned Order passed by the Respondent No.5 as RC.No.DT/45/2026, Dt.28.03.2026 consequentially direct the Respondents 5 to 7 not to interfere in the lawful peaceful possession and enjoyment of the Petitioner over the present subject schedule property Markapuram District of Kanigiri Sub Divisional District, Pamuru Mandal of Tiragandla Dinne Village, land in Sy.No.20/5 ad measuring Ac.0.51 cents and to 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 suspend the impugned Order passed by the Respondent No.5 as RC.No.DT/45/2026, Dt.28.03.2026 and to pass

IA NO: 2 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 direct the Respondents 5 to 7 not to disturb in the lawful peaceful possession and enjoyment of the Petitioner over the present subject schedule property Markapuram District of Kanigiri Sub Divisional District, Pamuru Mandal of Tiragandla Dinne Village, land in Sy.No.20/5 ad measuring Ac.0.51 cents and to pass

Counsel for the Petitioner:

1.JITENDRA KANYALUR

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 passed by the 5th respondent in Rc.No.DT/45/2026 dated 28.03.2026 and consequentially directing the respondent Nos.5 to 7 not to interfere in the lawful peaceful possession and enjoyment of the petitioner over the present subject schedule property in an extent of Ac.0.51 cents in Sy.No.20/5 of Markapuram District of Kanigiri Sub Divisional District, Pamuru Mandal of Tiragandla Dinne Village.

3. On the other hand, the learned Assistant Government Pleader for Revenue appearing for the respondent Nos.1 to 7 submits that the impugned order of the 5th respondent dated 28.03.2026 is an appealable order before the 4th respondent, which can be preferred within 90 days from the date of receipt of the said order.

4. In reply, the learned counsel for the petitioner submits that even though the petitioner has got limitation period to prefer an appeal, the 5th respondent displayed the caution notice board over the subject site.

5. In view of the above said facts and circumstances, on consideration of the impugned order of the 5th respondent dated 28.03.2026, it is clear that the petitioner came into possession of the subject assigned land pursuant to the transfer made by the assignee contrary to the Section 3 (1) of the Andhra

Pradesh Assigned Lands (Prohibition of Transfers) Act, 1977. In view of the said finding, the subject land in an extent of Ac.0.51 cents in Sy.No.20/5 of Tiragandla Dinne Village was resumed under Section 4 (1) (a) of the Act vesting it with the Government. The land is treated as Assessed Waste (A.W.) Dry. However, without expressing anything on merits, since the petitioner has got an alternative effective remedy of appeal before the 4th respondent, the same is permitted to be availed by the petitioner within the limitation period, enclosing all the necessary documents in support of her claim. On receipt of such appeal from the petitioner, the Appellate Authority/the 4th respondent shall consider and dispose of the same, strictly in accordance with law, by hearing all the parties concerned, including the petitioner, 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. Till filing of the appeal by the petitioner within the period of limitation, there shall be an order of *status quo* as on today to be maintained with respect to the subject land. In default of preferring an appeal within the limitation period by the petitioner, the interim protection granted by this Court stands automatically vacated. If any interim relief is required further, the same can be moved before the said appellate authority and if so, it shall be considered on its own merits.

6. 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.

30.04.2026
PGT

JUSTICE B. KRISHNA MOHAN