

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

THURSDAY, THE EIGHTH DAY OF MAY,
TWO THOUSAND AND TWENTY FIVE

:PRESENT:

HONOURABLE SRI JUSTICE GANNAMANENI RAMAKRISHNA PRASAD

WRIT PETITION NO: 12494 OF 2025



Between:

Tenneti Raju, Aged about 24 years, Occ: Cultivation, R/o D.No.4-263, K.P.
Palem Village, Mogalthur Mandal, West Godavari District.

...Petitioner

AND

1. The State of Andhra Pradesh, Rep. by its Principal Secretary to Government, Panchayat Raj and rural Development Department Secretariat, Velagapudi, Amaravati, Guntur District.
2. The District Collector (Panchayat Wing), Bhimavaram, West Godavari District.
3. The District Panchayat Officer, Bhimavaram, West Godavari District.
4. The K.P. Palem North gram Panchayat, Rep by its Panchayat Secretary cum Executive Authority, K.P. Palem North Village, Mogalthur Mandal, West Godavari District.
5. The Tahsildar, Mogalthur, Mandal West Godavari District. 6.
6. The Mandal Surveyor, Mogalthur Mandal West Godavari District.
7. Uppuluri Swamy Naidu Satyanarayana, S/o. Not known to the petitioner, Aged about 60 years, R/o. Near Sai Baba Temple K.P. Palem Village, Mogalthur Mandal, West Godavari District.

...Respondents

Petition under Article 226 of the Constitution of India is filed praying that in the circumstances stated in the affidavit filed therewith, the High

Court may be pleased to issue a writ, order or direction more particularly one in the nature of WRIT OF MANDAMUS declaring the notice dated 22.02.2025 issued by 4th Respondent and the actions of Respondents 4 to 6 to dispossess the petitioner from his RCC Building bearing D.No. 4-263 and enclosed site property measuring Ac.0.26 cents in R.S. Survey No. 251 of K.P. Palem Village in Mogalthur Mandal of West Godavari District, as illegal, arbitrary, violative of principles of natural justice The Andhra Pradesh Land Encroachment Act, 1905, and Articles 14, 21, and 300A of the Constitution of India and consequently direct the respondents not to interfere with petitioners possession and enjoyment over his said property without adhering to due process of law;

IA NO: 1 OF 2025:

Petition under Section 151 CPC is filed praying that in the circumstances stated in the affidavit filed in support of the writ petition, the High Court may be pleased to suspend the operation of notice dated 22.02.2025 issued by 4th Respondent and consequently direct the respondents not to interfere in any manner with petitioner's peaceful possession and enjoyment over his RCC Building bearing D.No.4-263 and enclosed site property measuring Ac.0.26 cents in R.S. Survey No. 251 of K.P. Palem Village in Mogalthur Mandal of West Godavari District, pending disposal of WP.No.12494 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 V.Vijaya Vardhan, Advocate for the Petitioner and Sri P.Rajesh Kumar, learned Assistant Government Pleader for Panchayat Raj Rural Dev for the Respondent Nos.1 to 3 and Sri T.Sanjeewa Rao, learned Assistant Government Pleader for Revenue for the Respondent Nos.5 & 6 and Sri Y.Koteswara Rao, Standing Counsel for the Respondent No.4, the Court made the following;

ORDER:

“Heard Sri V. Vijaya Vardhan, learned Counsel for the Writ Petitioner, Sri P. Rajesh Kumar, learned Assistant Government Pleader for Panchayat Raj, Sri T. Sanjeeva Rao, learned Assistant Government Pleader for Revenue and Sri Chaitanya, learned Counsel representing Sri Y. Koteswara Rao, learned Standing Counsel for the Respondent No.4.

2. Learned Counsel for the Writ Petitioner has drawn the attention of this Court to the D-form Patta held by the mother of the Writ Petitioner for an extent of Ac.0.25 cents in R.S.No.251 of K.P. Palem Village dated 09.08.2010 (Ex.P.2).

3. Sri T. Sanjeeva Rao, learned Assistant Government Pleader for Revenue seeks time to obtain Written Instructions and also to verify the correctness of the D-form Patta dated 09.08.2010 (Ex.P.2).

4. In view of the D-form Patta held by the mother of the Writ Petitioner dated 09.08.2010 (Ex.P.2), this Court is of the opinion that the balance of convenience, prima facie, is in favour of the Writ Petitioner. Accordingly, there shall be a direction to all the parties to maintain Status-quo obtaining as on today, till the next listing.

5. List the matter on 07.07.2025 in the motion list.”

Sd/- K. J. RAJA BABU
ASSISTANT REGISTRAR

//TRUE COPY//

For

SECTION OFFICER

To,

1. The Principal Secretary to Government, State of Andhra Pradesh,
Panchayat Raj and rural Development Department Secretariat,
Velagapudi, Amaravati, Guntur District. (by **Special Messenger**)

2. The District Collector (Panchayat Wing), Bhimavaram, West Godavari District.
3. The District Panchayat Officer, Bhimavaram, West Godavari District.
4. The K.P.Palem North gram Panchayat, Rep by its Panchayat Secretary cum Executive Authority, K.P. Palem North Village, Mogalthur Mandal, West Godavari District.
5. The Tahsildar, Mogalthur, Mandal West Godavari District.
6. The Mandal Surveyor, Mogalthur Mandal West Godavari District.
7. Uppuluri Swamy Naidu ^R Satyanarayana, R/o. Near Sai Baba Temple K.P. Paiem Village, Mogalthur Mandal, West Godavari District.
(Addressee Nos.2 to 7 by **RPAD**)
8. One CC to Sri. V.Vijaya Vardhan, Advocate [OPUC]
9. Two CCs to GP for Panchayat Raj Rural Dev, High Court of Andhra Pradesh. [OUT]
10. Two CCs to GP for Revenue, High Court of AP [OUT]
11. One CC to Sri Y.Koteswara Rao, Standing Counsel [OPUC]
12. One spare copy

MM

HIGH COURT

GRKP,J

DATED:08/05/2025

LIST THE MATTER ON 07.07.2025 IN THE MOTION LIST

ORDER

WP.No.12494 of 2025

DIRECTION

