

THE HON'BLE SRI JUSTICE VENKATESWARLU NIMMAGADDA

WRIT PETITION NO.13085 OF 2026

ORDER:

1. This writ petition is filed under Article 226 of the Constitution of India, claiming the following relief:

“to issue Writ or Direction especially one in the nature of Writ of Mandamus declaring the action of the respondents in trying to construct the Stadium in the lands in Sy.No.101/6B an extent of Ac.1-02 cents and in Sy.No.101/6A an extent of Ac.1-03 cents situated at Bevanapalli Village, Kuppam Mandal, Chittoor District without giving notice/notification and without following due process of law is illegal arbitrary highhanded and violation of principles of natural justice and consequently direct the respondents not to interfere into the lands of the petitioners in Sy.No.101/6B an extent of Ac.1-02 cents and in Sy.No.101/6A an extent of Ac.1-03 cents situated at Bevanapalli Village,Kuppam Mandal Chittoor District”

2. The learned counsel for the petitioners submits that Petitioner No. 1 is the owner and in possession of land measuring Ac.1-02 cents in Survey No. 101/6B,

located at Bevanapalli Village, Kuppam Mandal, Chittoor District. Petitioner Nos. 2 and 3 are the legal heirs of late Mrs. M. Fayaz, who had purchased land measuring Ac.1-03 cents in Survey No. 101/6A in the same village and mandal through a duly registered sale deed bearing Document No. 1209/2014 dated 26.04.2014. Following the demise of their father, Petitioner Nos. 2 and 3 succeeded to the property as legal heirs and have been in peaceful possession and enjoyment thereof. Their names were accordingly mutated in the relevant revenue records. It is further submitted that the petitioners' vendors had originally acquired the said properties at market value under proceedings No. Roc.A/371/1989 dated 15.05.1989. Upon compliance with all required conditions and execution of registered sale deeds, the petitioners were recognized as pattadars and were issued the corresponding revenue records. However, it is alleged that the respondents, without issuing any notice and without adhering to due process of law, have initiated steps to construct a Mini Sports Stadium under the management and control of Respondent No. 2. Such action is contended to be illegal, arbitrary and liable to be set-aside.

3. On the other hand, the learned Government Pleader for Revenue furnished written instructions issued by the Tahsildar, Kuppam, vide Roc.A/121/2026 dated 04.05.2026, wherein, it is stated as follows:

“It is submitted that as per the old sub division record Sy.No.101 was sub-divided as 101/1 an extent of Ac.1.89 cents, 101/3 an extent of Ac.0-27 cents, 101/4 an ext of Ac.1-14 cents, 101/5 an ext of Ac.0-27 cents, 101/6 an ext of Ac.1.25 cents, 101/7 an ext of Ac.0.88 cents, 101/8 an ext of Ac.0-07 cents and 101/9 an ext of Ac.0-80 cents and also donated as 101/1, 101/3, 101/4, 101/5, 101/6 mentioned sub division purpose as for alienate to Zilla Sports Authority and Sy.No.101/7 denoted as Gutta/Burial Ground, 101/8 denoted as Gutta and 101/9 denoted as Government land which was made in the year of 2003.

Further, is submit that, earlier the lands in Sy.Nos.101/1 an ext of 1.39 cents, 101/3 an ext of Ac.0.27 cents, 101/4 an ext of Ac.1.24 cents, 101/5 an ext of Ac.0.27 cents, 101/6 an ext of Ac.1.25 cents was alienated in favour of the Chairman, District Sports Authority, Chittoor for construction of Mini Sports Stadium at Kuppam and also laid foundation stone on 11.09.2001 by the present Chief Minister of Andhra Pradesh, further, issued transfer order by the then District Collector, Chittoor and also directed to hand over the above lands to the Chairman, District Sports Authority, Chittoor vide Roc.E1/2938/2002 dated 09.01.2004 of the District Collector, Chittoor.”

4. Learned Government Pleader further submits that an extent of Ac.1-25 cents in Survey No. 101/6, along with lands in Survey Nos. 101/1, 101/3, 101/4, and 101/5, was alienated in favour of the Chairman, District Sports Authority,

Chittoor, for the purpose of constructing a Mini Sports Stadium at Kuppam. This alienation took place in the year 2001, and vacant possession of the subject land was handed over accordingly. It is also submitted that, although the land has been covered by a compound wall, but no stadium has been constructed till date.

5. Heard Sri C. Prakash, learned counsel for the petitioner and the learned Government Pleader for Revenue, and perused the material available on record.

6. The petitioners claim of absolute ownership and possession over the subject land is supported by the revenue records and pattadar passbooks issued in their favour. However, the contention regarding the source of title based on proceedings of the Mandal Revenue Officer alienating the land upon payment of market value raises concerns, as such alienation appears to have been effected without obtaining approval from the competent authority, as required under the Board Standing Orders and applicable revenue laws. In the absence of such approvals, the validity of the said alienation is questionable.

7. Nonetheless, the petitioners were recognized as pattadars and possessors to an extent of Ac. 2.05 cents in Survey Nos. 101/6A and 101/6B. As per the submissions of the learned Government Pleader, however, no such subdivisions

as Survey Nos. 101/6A or 101/6B exist; rather, Survey No. 101 was bifurcated into Survey Nos. 101/2 and 101/9, and a portion of the land was alienated in favour of Respondent No. 2 authority.

8. In view of the above facts and circumstances, the respondents are directed to follow due process of law in respect of any land in Survey Nos. 101/6A or 101/6B for which the petitioner has been issued revenue records and proceedings of the Mandal Revenue Officer dated 15.05.1989. The respondents shall not interfere with the petitioner's peaceful possession and enjoyment of the property, if the petitioner is in such possession, without adhering to due process of law.

9. With the above direction, writ petition is disposed of. No costs.

10. Consequently, miscellaneous petitions pending, if any, shall also stand closed.

JUSTICE VENKATESWARLU NIMMAGADDA

Date: 04.05.2026

Note; copy by 06.05.2026
b/o

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