

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

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

: PRESENT:

THE HONOURABLE SRI JUSTICE TUHIN KUMAR GEDELA
WRIT PETITION NO: 14505 OF 2026



Between:

Mattemalla Danamaiah, S/o. Mugaiah, Aged 65 years, Occ: Teacher (Retd.),
ABM High School, Secretary Association of Telugu Baptist Church, R/o.
H.No.9/203, ABM Compound, Bestavaripeta Village & Mandal, Prakasam
District - 523 334.

Petitioner

AND

1. The State of Andhra Pradesh, Represented by its Principal Secretary,
Panchayat Raj & Rural Development Department, Secretariat,
Velagapudi, Amaravati, Guntur -522238.
2. State of Andhra Pradesh, Represented by its Principal Secretary,
Revenue Department, Secretariat, Velagapudi, Amaravati, Guntur -
522238.
3. State of Andhra Pradesh, Represented by its Principal Secretary,
Revenue (Stamps and Registration) Department, Secretariat,
Velagapudi, Amaravati, Guntur-522238.
4. State of Andhra Pradesh, Represented by its Principal Secretary,
School Education Department, Secretariat, Velagapudi, Amaravati,
Guntur -522238.
5. District Collector and Magistrate, Bestavaripeta Village & Mandal,
Prakasam - 523334

6. The Mandal Parishad Development Officer, Bestavaripet Mandal Prakasam District -523334
7. Bestavaripet Grama Panchayat, Rep by its Executive Authority cum Panchayat Secretary, Bestavaripet Village and Mandal Prakasam District - 523334
8. The Revenue Divisional Officer, Bestavaripeta, Prakasam - 523334.
9. District Registrar, Registration & Stamps Department, Bestavaripeta, Prakasam District - 523334.
10. Mandal Revenue Officer, Bestavaripeta Mandal, Prakasam District-523334.
11. The District Registrar, Registration and Stamps Department, Bestavaripeta, Prakasam - 523334.
12. The Sub-Registrar, Registration and Stamps Department, Bestavaripeta, Prakasam - 523334.
13. Commissioner & Director of School Education, Ibrahimpatnam, NTR District - 521456.
14. The District Educational Officer of School Education, Bestavaripeta, Prakasam - 523334.
15. The Superintendent of Police, Prakasam, District - 523001.

Respondents

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 order or direction or Writ, more particularly one in the nature of Mandamus

i) Declaring the inaction of respondents (education) in taking steps against the illegal encroachers despite availability of material both on facts and in law which would suggest that the respondent authorities are soft peddling for obvious reasons as bad, illegal, and unconstitutional.

ii) Declaring the transactions/ alienations/ sale undertaken by the encroachers or their agents pertaining to the parcel of lands in Sy.No's.44 to 46 as null and void in the teeth of Section 28 of the AP Education Act, 1982 and in the view of the judgment of this Hon'ble Court in W.P. No. 5877 of 2003 dt. 02.06.2016

iii). Declare the action of respondents in registering the illegal sale deeds and granting permission for conversion of land despite various representations from the petitioner thereby facilitating the encroachers in encroaching and erecting constructions on the subject land in Sy.No's.44 to 46, Bestavaripeta as illegal

iv) Consequently, direct the respondents to take necessary steps to cancel the building permission and evict the encroachers and demolish the illegal structures constructed in Sy.No's.44 to 46, Bestavaripeta

v). further direct the respondent authorities not to register any subsequent sale transactions in respect of the subject land in Sy. No's. 44 to 46, Bestavaripeta

vi) Direct the 13th respondent to take cognizance of the illegalities committed by the encroachers by registering a criminal case.

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 a status quo ante in respect of the entire parcel

of land in Sy.No's.44 to 46, Bestavaripeta, Pending disposal of WP No.14505 of 2026, 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 J Sudheer, Advocate for the Petitioner, and of GP for Panchayat Raj & Rural Dev for the Respondent No.1, and of GP for Revenue for Respondent Nos. 2, 5, 8 & 10, and of GP for Stamps & Registration for Respondent Nos. 3, 9, 11 & 12, and of GP for School Education for Respondent Nos. 4, 13 & 14, and of Sri M Sudhir, Standing Counsel for Respondent Nos. 6 & 7, the Court made the following.

ORDER

Heard Ms.Neha Hassan, learned counsel representing Mr.J.Sudheer, learned counsel for the petitioner, Mr.G.Ramachandra Rao, learned Government Pleader for School Education appearing for respondent Nos.4, 13 and 14.

The Writ Petition is filed seeking a Writ of Mandamus, declaring the inaction of respondents (education) in taking steps against the illegal encroachers despite availability of material both on facts and in law which would suggest that the respondent authorities are soft peddling for obvious reasons as bad, illegal, and unconstitutional. Declaring the transactions/alienations/sale undertaken by the encroachers or their agents pertaining to the parcel of lands in Sy.Nos.44 to 46 as null and void in the teeth of Section 28 of the AP Education Act, 1982 and in the view of the judgment of this Court in W.P.No.5877 of 2003 dt.02.06.2016 declare the action of respondents in registering the illegal sale deeds and granting permission for conversion of land despite various representations from the petitioner thereby facilitating the encroachers in encroaching and erecting constructions on the subject land in

Sy.Nos.44 to 46, Bestavaripeta as illegal. Consequently, direct the respondents to take necessary steps to cancel the building permission and evict the encroachers and demolish the illegal structures constructed in Sy.Nos.44 to 46, Bestavaripeta. Further direct the respondent authorities not to register any subsequent sale transactions in respect of the subject land in Sy.Nos.44 to 46, Bestavaripeta and to direct the 13th respondent to take cognizance of the illegalities committed by the encroachers by registering a criminal case.

In support of the said prayer, the learned counsel for the petitioner argued by taking this Court through the contentions raised in the writ affidavit, and the same was refuted through arguments by the learned Senior Advocate.

Since, the matter involves both factual and legal aspects, this Court is of the opinion that, in the interest of justice, it would suffice to direct the authorities to dispose of the representation made by the petitioner on 16.12.2024.

Upon a pointed query, Mr. J. Sudheer, learned counsel contended that the representation filed by the petitioner also includes the facts narrated in the affidavit and that it would suffice if the respondents act upon the said representation by applying their mind to the facts and circumstances of the case and pass appropriate orders.

It is needless to mention that the constructions, if any, as argued by the learned Senior Counsel, which are going on hectically, shall be subject to the outcome of the Writ Petition.

It is placed on record that a copy of the representation, dated 16.12.2024, was addressed to the Collector, and the Collector, being the

competent authority, is directed to dispose of the said representation, within a period of four (04) weeks, by looking into the contentions raised in the affidavit and by giving opportunity to both parties.

List the matter after Summer Vacation, 2026.

SD/- U SRI DEVI
DEPUTY REGISTRAR
SECTION OFFICER

//TRUE COPY//

To,

1. The District Collector and Magistrate, Bestavaripeta Village and Mandal, Prakasam - 523334. (BY SPEED POST)
2. One CC to Sri. J sudheer Advocate [OPUC]
3. One CC to Sri M Sudhir, Standing Counsel [OPUC]
4. Two CCs to GP for Panchayat Raj & Rural Dev, High Court of AP [OUT]
5. Two CCs to GP for Revenue, High Court of AP [OUT]
6. Two CCs to GP for Stamps & Regustration, High Court of AP [OUT]
7. One spare copy

NC
HIGH COURT

GTK, J

DATED: 15/05/2026

LIST THE MATTER AFTER SUMMER VACATION - 2026

ORDER

WP.No.14505 of 2026

INTERIM DIRECTION



SC