

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



THURSDAY, THE FOURTEENTH DAY OF MAY
TWO THOUSAND AND TWENTY SIX

PRESENT

THE HONOURABLE DR JUSTICE Y. LAKSHMANA RAO

WRIT PETITION NO's: 14349 & 14350 OF 2026

APHC010280192026



WRIT PETITION NO: 14349 OF 2026

Between:

Majji Suryanarayana, S/o. Majji Jagganna, H.No 2-67, Tarluvada,
Anandapuram Mandal, Visakhapatnam, Andhra Pradesh. Pin-530052.

...Petitioner

AND

1. The State of Andhra Pradesh, Represented by its Principal Secretary (Revenue) Secretariat Buildings at Velagapudi, Guntur District, Andhra Pradesh.-522237
2. The Revenue Divisional Officer, Bheemunipatnam Visakhapatnam District, Andhra Pradesh.-531163
3. The Tahsildar, Anandapuram Mandal, Visakhapatnam District, Andhra Pradesh.-530052
4. The Chairman, Visakhapatnam Urban Development Authority, VUDA Complex, Siripuram, Visakhapatnam, Andhra pradesh-530003

5. The District Collector, Visakhapatnam District, Andhra Pradesh.-
530002

...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 a Writ, direction, order or orders more particularly one in the nature of Writ of Mandamus declaring the action of respondents 1 to 5 herein in trying to occupy and destroying the Coconut plantations existing in the dry land admeasuring Ac. 5.00 Cents in Tarluvada Village, Ananda Puram Mandal Bheemuni Patnam Revenue Division, Visakhapatnam district belonging to the Petitioner, obtained by way of D Patta DR. No. 1587/137126 dated 26-06-1962 without giving any notice or any authority, and declare the same as illegal, arbitrary, violation of Article 14 and 300A of the Constitution of India, consequentially stay of all further proceedings .

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 stay of all further proceedings pertaining to occupying and destroying, without giving any notice or any authority, the Coconut plantations existing in the dry land admeasuring Ac. 5.00 cents in Sy. No.79 pin Tarluda Village, Ananda Puram Mandal, Bheemuni Patnam Revenue Division, Visakhapatnam district belonging to the Petitioner obtained by way of D patta vide DR. 1587/137126 dated 26-06-1962, pending disposal of the above writ petition.

Counsel for the Petitioner: SRI NALLURI RAMESH BABU

Counsel for the Respondents No.1 to 5: GP FOR REVENUE



WRIT PETITION NO: 14350 OF 2026

Between:

Rapeti Rajya Lakshmi, C/o. Govind Rapeti, Block-B3, Flat No:1018, Vysakhi Skyline Apartments, Gitam Medical College Road, Yendada, Visakhapatnam. Andhra Pradesh.-530045

...Petitioner

AND

1. The State of Andhra Pradesh, Represented by its Principal Secretary (Revenue), Secretariat Buildings at Velagapudi, Guntur District, Andhra Pradesh.-522237
2. The Revenue Divisional Officer, Bheemunipatnam, Visakhapatnam District, Andhra Pradesh.-531163
3. The Tahsildar, Anandapuram Mandal, Visakhapatnam District, Andhra Pradesh.-530052
4. The Chairman, Visakhapatnam Urban Development Authority, VUDA Complex, Siripuram, Visakhapatnam, Andhra Pradesh.-530003
5. The District Collector, Visakhapatnam District, Andhra Pradesh .530002

...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 a Writ, direction, order or orders more particularly one in the nature of Writ of Mandamus declaring the action of respondents 1 to 5 herein in trying to occupy and destroying the Coconut plantations existing in the dry land admeasuring Ac. 5.00 Cents in Gudilova Village, Ananda Puram Mandal Bheemuni Patnam Revenue Division, Visakhapatnam district belonging to the

Petitioner, obtained by way of D Patta DR. No. 2295 137/26 dated 26-06-1962 without giving any notice or any authority, the same as illegal, arbitrary, violation of Article 14 and 300A of the Constitution of India, consequentially stay of all further proceedings.

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 stay of all further proceedings pertaining to occupying and destroying, without giving any notice or any authority, the Coconut nut plantations existing in the dry land admeasuring Ac. 5.00 cents in Sy. No. 10P & 11P in Tarluda Village, Ananda Puram Mandal, Bheemuni Patnam Revenue Division, Visakhapatnam district belongs to the respondents, obtained by way of D Patta vide DR. 2295 137/26 dated 26-06-1962, pending disposal of the above writ petition.

Counsel for the Petitioner: SRI NALLURI RAMESH BABU

Counsel for the Respondents No.1 to 3 & 5: GP FOR REVENUE

Counsel for the Respondent No.4: None appeared

The Court made the following Common Order:



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

[3521]

THURSDAY, THE FOURTEENTH DAY OF MAY
TWO THOUSAND AND TWENTY SIX

PRESENT

THE HONOURABLE DR JUSTICE Y. LAKSHMANA RAO

WRIT PETITION Nos.14349 & 14350/2026

W.P.No: 14349/2026

Between:

1.MAJJI SURYANARAYANA, S/O. MAJJI JAGGANNA, H.NO 2-67,
TARLUVADA, ANANDAPURAM MANDAL, VISAKHAPATNAM,
ANDHRA PRADESH. PIN-530052.

...PETITIONER

AND

1.THE STATE OF AP, REPRESENTED BY ITS PRINCIPAL
SECRETARY (REVENUE) SECRETARIAT BUILDINGS AT
VELAGAPUDI, GUNTUR DISTRICT, ANDHRA PRADESH.-522237

2.THE REVENUE DIVISIONAL OFFICER, BHEEMUNIPATNAM
VISAKHAPATNAM DISTRICT,ANDHRA PRADESH.-531163

3.THE TAHSILDAR, ANANDAPURAM MANDAL, VISAKHAPATNAM
DISTRICT, ANDHRA PRADESH.-530052

4.THE CHAIRMAN, VISAKHAPATNAM URBAN DEVELOPMENT
AUTHORITY, VUDA COMPLEX, SIRIPURAM, VISAKHAPATNAM,
ANDHRA PRADESH-530003

5.THE DISTRICT COLLECTOR, VISAKHAPATNAM DISTRICT,
ANDHRA PRADESH.-530002

...RESPONDENT(S):

Counsel for the Petitioner:

1. NALLURI RAMESH BABU

Counsel for the Respondent(S):

1. GP FOR REVENUE

W.P.No: 14350/2026**Between:**

1. RAPETI RAJYA LAKSHMI, C/O. GOVIND RAPETI, BLOCK-B3, FLAT NO1018, VYSAKHI SKYLINE APARTMENTS, GITAM MEDICAL COLLEGE ROAD, YENDADA, VISAKHAPATNAM. ANDHRA PRADESH.-530045

...PETITIONER

AND

1. THE STATE OF ANDHRA PRADESH, REPRESENTED BY ITS PRINCIPAL SECRETARY (REVENUE), SECRETARIAT BUILDINGS AT VELAGAPUDI, GUNTUR DISTRICT, ANDHRA PRADESH.-522237
2. THE REVENUE DIVISIONAL OFFICER, BHEEMUNIPATNAM, VISAKHAPATNAM DISTRICT, ANDHRA PRADESH.-531163
3. THE TAHSILDAR, ANANDAPURAM MANDAL, VISAKHAPATNAM DISTRICT, ANDHRA PRADESH.-530052
4. THE CHAIRMAN, VISAKHAPATNAM URBAN DEVELOPMENT AUTHORITY, VUDA COMPLEX, SIRIPURAM, VISAKHAPATNAM, ANDHRA PRADESH.-530003
5. THE DISTRICT COLLECTOR, VISAKHAPATNAM DISTRICT, ANDHRA PRADESH .530002

...RESPONDENT(S):

Counsel for the Petitioner:

1. NALLURI RAMESH BABU

Counsel for the Respondent(S):

1. GP FOR REVENUE

The Court made the following:
COMMON ORDER:

These two Writ Petitions, arising out of a similar cause of action but filed by different Petitioners, have been heard together and are disposed of by this common order.

2. The Writ Petition No.14349 of 2026 has been filed seeking the following relief:-

“...to issue a Writ, direction, order or orders more particularly one in the nature of Writ of Mandamus declaring the action of respondents 1 to 5 herein in trying to occupy and destroying the Coconut plantations existing in the dry land admeasuring Ac. 5.00 Cents in Tarluvada Village, Ananda Puram Mandal Bheemuni Patnam Revenue Division, Visakhapatnam district belonging to the Petitioner, obtained by way of D Patta DR. No. 1587/137126 dated 26-06-1962 without giving any notice or any authority, , and declare the same as illegal, arbitrary, violation of Article 14 and 300A of the Constitution of India, consequentially stay of all further proceedings....”

3. The Writ Petition No.14350 of 2026 has been filed seeking the following relief:-

“...to issue a Writ, direction, order or orders more particularly one in the nature of Writ of Mandamus declaring the action of respondents 1 to 5 herein in trying to occupy and destroying the Coconut plantations existing in the dry land admeasuring Ac. 5.00 Cents in Gudilova Village, Ananda Puram Mandal Bheemuni Patnam Revenue Division, Visakhapatnam district belonging to the Petitioner, obtained by way of D Patta DR. No. 2295 137/26 dated 26-06-1962 without giving any notice or any authority, , the same as illegal, arbitrary, violation of Article 14 and 300A of the Constitution of India, consequentially stay of all further proceedings”

4. Heard learned counsel for the Petitioners and the learned Assistant Government Pleader for Revenue.

5. Mr. N. Ramesh Babu, learned counsel for the Petitioners, submits that in W.P.No.14349 of 2026, the father of the Petitioner, late Majji Suryanarayana, was allotted Ac.5.00 cents in Sy.No.79 P. He converted

barren land into cultivable land, planted coconut trees and crops, and remained in possession until his death. The Petitioner, as sole son, claims inheritance and continuous possession thereafter, alleging that respondents attempted to destroy the plantation and occupy the land without notice.

6. Sri B. Venkata Satyanarayana, learned Assistant Government Pleader for Revenue, on written instructions, submits that Sy.No.79 measuring Ac.21.35 cents is classified as 'Gayalu' Government land. No assignment is recorded in the Form-III Assignment Register under the A.P. Assigned Lands (Prohibition of Transfer) Act, 1977¹. On ground verification, the land is vacant with no coconut plantation existing. He further contends that the D-Patta produced by the Petitioner is not genuine, as the DR number format does not conform to the regular procedure, and denies the allegation of destruction of plantations.

7. Mr. N. Ramesh Babu, learned counsel for the Petitioners, submits that in W.P.No.14350 of 2026, the father of the Petitioner, late Lalgudi Venkata Raman Narayana Swamy, was allotted Ac.5.00 cents in Sy.Nos.10 P & 11 P. He converted barren land into cultivable land, planted coconut trees and crops, and remained in possession until his death. The Petitioner, as sole daughter, claims inheritance and continuous possession thereafter, alleging that she has been in possession and that respondents attempted to destroy the plantation and occupy the land without notice.

8. Sri B. Venkata Satyanarayana, learned Assistant Government Pleader for Revenue, on written instructions, submits that Survey Nos.10/1, 10/2, and

¹ 'the Act'

11 are classified as "Poramboke – Vagu" Government land and "Gayalu" Government land. No assignment is recorded in the Form-III Assignment Register. On ground verification, no coconut plantation exists, and a natural watercourse flows through the land. He further contends that the D-Patta produced by the Petitioner is not genuine, as the DR number format does not conform to the regular procedure, and denies the allegation of destruction of plantations.

9. The Petitioners, however, contend that they have been in possession of their respective lands since 1962 by virtue of the pattas granted to them, and that they have been cultivating coconut plantations therein continuously.

10. Even otherwise, if the Respondents seek to dispossess the Petitioners, the Petitioners have an efficacious alternative remedy of filing civil suits for declaration of title and permanent injunction. If the Petitioners have been in continuous possession for more than 30 years, they may also claim adverse possession against the Government.

11. However, the merits of title and possession cannot be adjudicated in these Writ Petitions. The prayers are limited to restraining the Respondents from occupying and destroying the coconut plantations. The Petitioners have not filed any Civil Suits before the Jurisdictional Civil Court.

12. Having regard to the facts and circumstances of the case, Respondent Nos.1 to 5 are directed not to occupy or destroy the coconut plantations existing in the lands claimed by the Petitioners in Tarluvada Village in W.P.No.14349 of 2026 and Gudilova Village in W.P.No.14350 of 2026 without

following due process of law and without issuing appropriate notice. Liberty is granted to the Petitioners to approach the Jurisdictional Civil Court by filing appropriate suits for declaration of title and injunction against the Respondents.

11. Accordingly, the Writ Petitions are disposed of. There shall be no order as to costs.

As a sequel, miscellaneous petitions pending, if any, shall stand closed.

//TRUE COPY//

Sd/- SISTA SHYAMALA
ASSISTANT REGISTRAR

SECTION OFFICER

To,

1. The Principal Secretary (Revenue) Secretariat Buildings at Velagapudi, Guntur District, Andhra Pradesh.-522237
2. The Revenue Divisional Officer, Bheemunipatnam Visakhapatnam District, Andhra Pradesh.-531163
3. The Tahsildar, Anandapuram Mandal, Visakhapatnam District, Andhra Pradesh.-530052
4. The Chairman, Visakhapatnam Urban Development Authority, VUDA Complex, Siripuram, Visakhapatnam, Andhra Pradesh-530003
5. The District Collector, Visakhapatnam District, Andhra Pradesh.-530002
6. One CC to SRI NALLURI RAMESH BABU, Advocate [OPUC]
7. Two CCs to GP FOR REVENUE, High Court of Andhra Pradesh [OUT]
8. Two CD Copies

VNA

HIGH COURT

DATED:14/05/2026

COMMON ORDER

WP NO's. 14349 & 14350 OF 2026



**DISPOSING OF THE WRIT PETITIONS
WITHOUT COSTS**