

[3521]

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: 14469 OF 2026



Between:

1. Kollati Venkata Rajkumar, S/o. Siva Naga Raju, aged 27 years, R/o. H.No.1-167, Ward No. 1, Pallepalem Area, Chinatadinada Village, Kalidindi Mandal, Eluru District.
2. Kollati Swamulu, S/o. Veera Swami, aged 52 years, R/o. Ward No. 1, Pallepalem Area, Chinatadinada Village, Kalidindi Mandal Eluru District.
3. Kolli Peddi Raju, S/o. Venkateswara Rao, aged 65 years, R/o. Ward No. 1, Pallepalem Area, Chinatadinada Village, Kalidindi Mandal, Eluru District.
4. Kolli Naga Raju, S/o. Venkateswara Rao, aged 60 years, R/o. Ward No. 1, Pallepalem Area, Chinatadinada Village, Kalidindi Mandal, Eluru District.

Petitioners

AND

1. The State of Andhra Pradesh, Rep. by its Principal Secretary, Revenue Department, Secretariat Buildings, Velagapudi, Amaravati, Guntur District. 522232
2. The Chief Commissioner of Land Administration, Mangalagiri, Andhra Pradesh.522503
3. The District Collector, Eluru District Office, Eluru District, Andhra Pradesh.- 534001
4. The Andhra Pradesh Central Power Distribution Corporation Ltd, Rep. by its Chairman and Managing Director, Corporate Office, Dr. Y.S.R. Vidyuth Soudha, Opp Ramesh Hospital, Vijayawada 520 010.

5. The Executive Engineer, Operation Division, APCPDCL, Gudivada, Eluru District. 534001
6. The Chinatadinada Gram Panchayat, , Rep. by its Panchayat Secretary, Chinatadinada Village, Kalidindi Mandal, Eluru District. 521333
7. The Station House Officer, Kalidindi Mandal, Eluru District

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 appropriate Writ, Order or Direction more particularly one in the nature of WRIT OF MANDAMUS by declaring the highhanded action of the Respondent Authorities, especially Respondent Nos.1 to 3 in allowing the Respondent Nos.4 and 5 to illegally construct a 33/11 KV Sub- Station on the Puntha classified land admeasuring Ac.0.35cents at R.S.No.179, Pallepalem Area, Chinatadinada Village, Kalidindi Mandal, Eluru District without following the mandatory procedure as per G.O.Ms.No.571, Revenue (Assn.) Department dated 14.09.2012 and CCLA's Circular No.ALN/1882770/2 022 dated 29.10.2022 under the guise of Respondent No.6's Resolution No.78 dated 23.06.2022 and also assailing the action of the Respondent No.3 in not considering the Petitioner's Representations dated 16.02.2026 and 23.03.2026, as illegal, arbitrary colourable exercise of power, in violation of Principles of Natural Justice, in violation of Section 58(2) of the Panchayat Raj Act, 1994, also in violation of Articles 14, 21 and 300-A of the Constitution of India as well as contrary to the settled law of this Hon'ble Court in Banne Gandhi and Others Vs. District Collector and others, 2007 (4) ALD 374 and Sarpanch, Polakala Gram Panchayat, Irala Mandal, Chittoor District Vs. District Collector, Chittoor, 1997 (2) ALT 486 and consequently direct the Respondent Nos.1 to 3 to completely stop the said illegal construction of 33/11 KV Sub-Station being made by Respondent Nos.4 and 5.

IA NO: 1 OF 2026

Petition under Section 151 CPC is filed praying that in the circumstances stated in the grounds filed in support of the petition, the

High Court may be pleased to direct the Respondent Authorities, especially Respondent No.3, to consider the Petitioners' Representations dated 16.02.2026 and 23.03.2026 and also direct Respondent Nos.4 and 5 to maintain status quo in respect to the said illegal construction of 33/11 KV Sub-Station on the Puntha classified land admeasuring Ac.0.35cents at R.S.No.179, Pallepalem Area, Chinatadinada Village, Kalidindi Mandal, Eluru District, Pending disposal of WP 14469 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 GINJUPALLI SUBBA RAO, Advocate for the Petitioners, learned GP FOR REVENUE for the Respondent Nos.1&3, learned GP FOR LAND ADMINISTRATION for the Respondent No.2, learned GP FOR REVENUE for the Respondent No.3, Sri V.V. SATISH, Standing Counsel for the Respondent Nos.4&5, Sri Y. KOTESWARA RAO, Standing Counsel for the Respondent No.6, learned GP FOR HOME for the Respondent No.7, the Court made the following

ORDER:

“Heard learned counsel for the petitioner, learned Standing Counsel appearing for respondent No.4, and learned Standing Counsel appearing for respondent No.6.

2. In paragraph No.4 of the reply affidavit filed in W.P.No.38836 of 2022, respondent No.3 has stated that the land in R.S.No.179, situated at Pallepalem area, Chinatadinada Village, Kalidindi Mandal, Eluru District, has not been alienated by the District Collector in favour of the Electricity Department. It is further stated that the Electricity Department has not submitted any requisition for conversion in the prescribed format under Appendix-XXIX, General Conditions of Alienation, and Annexure-XI, as contemplated under G.O.Ms.No.571, Revenue (Assignment-I) Department, dated 14.09.2012.

3. Learned Standing Counsel appearing for respondent No.4 also does not dispute the fact that, till date, the subject land has not been alienated in favour of the Electricity Department by the District Collector.

4. Having regard to the aforesaid facts and circumstances of the case, respondent Nos.4 and 5 are directed to maintain *status quo* with regard to the proposed construction of the 33/11 KV Sub-Station in the Punta classified land admeasuring Ac.0.35 cents in R.S.No.179, Pallepalem area, Chinatadinada Village, Kalidindi Mandal, Eluru District, until the next date of hearing.

5. List on 28.05.2026.”

SD/- U.SRIDEVI
DEPUTY REGISTRAR
SECTION OFFICER

//TRUE COPY//

To,

1. The Chairman and Managing Director, Andhra Pradesh Central Power Distribution Corporation Ltd, Corporate Office, Dr. Y.S.R. Vidyuth Soudha, Opp Ramesh Hospital, Vijayawada 520 010.
2. The Executive Engineer, Operation Division, APCPDCL, Gudivada, Eluru District. 534001 (1&2 by SPEED POST)
3. One CC to SRI. GINJUPALLI SUBBA RAO Advocate [OPUC]
4. Two CCs to GP FOR REVENUE, High Court Of Andhra Pradesh. [OUT]
5. Two CCs to GP FOR LAND ADMINISTRATION, High Court of Andhra Pradesh. [OUT]
6. One CC to Sri V.V. SATISH, STANDING COUNSEL [OPUC]
7. Two CCs to GP FOR HOME, High Court of Andhra Pradesh. [OUT]
8. One CC to SRI Y. KOTESWARA RAO, STANDING COUNSEL [OPUC]
9. Two spare copies

Kj

HIGH COURT

DR.YLR,J

DATED:14/05/2026

LIST ON 28.05.2026

ORDER

WP.No.14469 of 2026

STATUS QUO

