

**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: 14483 OF 2026**



**Between:**

Challagulla Subramanyeswara Rao, S/o. Venkanna, Aged about 58 Years,  
Occupation: Agriculture, R/o. Door No. 8/37, Sri Ramapuram, Gudivada,  
Krishna District, A.P. - 521301

**Petitioner**

**AND**

1. The Union of India, Rep. by its Secretary, Ministry of Road Transport and Highways Transport Bhawan, Parliament Street, New Delhi - 110001.
2. The Joint Collector and Competent Authority, Land Acquisition, National Highway-165, Eluru, Eluru District, Andhra Pradesh. - 534006.
3. The Project Director - NH 165, National Highways Authority of India, Plot No. 21, Teachers Colony, Gurunanak Nagar Road, Vijayawada, Krishna District, Andhra Pradesh - 520008.
4. The Executive Engineer, (R & B), NH Division, M.G. Road, Vijayawada, Krishna District, Andhra Pradesh -520010.
5. The District Collector, Eluru District, Eluru, Andhra Pradesh - 534006.
6. The Revenue Divisional Officer, Eluru, Eluru District, Andhra Pradesh - 521301.

7. The Tahsildar, Mandal Revenue Office, Mudinepalli, Eluru District, Andhra Pradesh - 521325.
8. The Mandal Surveyor, Mudinepalli Mandal, Eluru District, Andhra Pradesh - 521325.

### **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 declaring the action of the respondents in deviating the original alignment of National Highway-165 from its original alignment and encroaching upon the Petitioner's land in Sy.No.84/1A at Peddapalaparru Village, Mudinepalli Mandal, Krishna District (now Eluru District), Andhra Pradesh, as illegal, arbitrary, unconstitutional and against the principles of natural justice, consequently direct the respondents not to deviate from the original alignment and not to encroach upon the Petitioner's land in Sy.No.84/1 A, Peddapalaparru Village, Mudinepalli Mandal, Krishna District (now Eluru District), Andhra Pradesh.

### **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 Road alignment in Sy.No.84/1A Peddapalaparru Village, Mudinepalli Mandal, Krishna District (now Eluru District), Andhra Pradesh and not to encroach upon the land in Sy.No.84/1A Peddapalaparru Village, Mudinepalli Mandal, Krishna District (now Eluru District), Andhra Pradesh belonging to the Petitioner, Pending disposal of WP No.14483 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 Ancha Panduranga Rao, Advocate for the Petitioner, and of Additional Solicitor General of India for Respondent Nos. 1 & 2, and of Sri S S Varma, Standing Counsel for Respondent No.3, and GP for Roads & Buildings for the Respondent No.4, and of GP for Revenue for Respondent Nos. 5 to 7, the Court made the following.

### **ORDER**

Heard Sri Ancha Panduranga Rao, learned counsel for the petitioner, and Sri Shaik Abdul, learned Assistant Government Pleader for Roads and Buildings for the respondents.

Embittered with the action of the respondents, in deviating the original alignment of National Highway-165 and encroaching upon the petitioner's land in Sy.No.84/1A at Peddapalaparru Village, Mudinepalli Mandal, as illegal, arbitrary and unconstitutional.

Learned counsel for the petitioner argued the case as reflected in the affidavit, stating that the encroachment now sought to be made by the respondents is contrary to the Gazette Notification and that any such deviation would be contrary to law.

On the other hand, learned Assistant Government Pleader, through instructions, dated 14.05.2026, received from the Deputy Executive Engineer duly signed, submitted that no land in Sy.No.84/1A is required for execution of the present road work and that the same was only proposed for acquisition. The ongoing road work is being executed strictly within the acquired extent in Survey No.84/1B only.

It is further asserted that the respondents are not acting contrary to the prayer made in the Writ Petition and that they have no intention whatsoever to acquire or utilize any additional extent of land in Sy.No.84/1A.

The said instructions, which are now placed before this Court, shall form part and parcel of the present order.

In view of the said undertaking, the grievance of the petitioner stands addressed. It is further clarified that, as per the instructions, the respondents shall abstain from deviating from Gazette Notification No.1624 in S.O.No.1821(E), dated 24.05.2019.

List the matter after Summer Vacation, 2026.

//TRUE COPY//

SD/-K.V.RAGHAVULU  
ASSISTANT REGISTRAR

  
SECTION OFFICER

To,

1. The Secretary, Union of India, Ministry of Road Transport and Highways Transport Bhawan, Parliament Street, New Delhi - 110001.
2. The Joint Collector and Competent Authority, Land Acquisition, National Highway-165, Eluru, Eluru District, Andhra Pradesh. - 534006.
3. The Project Director - NH 165, National Highways Authority of India, Plot No. 21, Teachers Colony, Gurunanak Nagar Road, Vijayawada, Krishna District, Andhra Pradesh - 520008.

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8. The Mandal Surveyor, Mudinepalli Mandal, Eluru District, Andhra Pradesh - 521325. (1 to 7 by RPAD)
9. One CC to Sri Ancha Panduranga Rao, Advocate [OPUC]
10. Two CCs to GP for Roads & Buildings, High Court of AP [OUT]
11. Two CCs to GP for Revenue, High Court of AP [OUT]
12. One CC to Sri S S Varma, Standing Counsel [OPUC]
13. One spare copy

HIGH COURT

GTK, J

DATED: 15/05/2026

POST THE MATTER AFTER SUMMER VACATION - 2026

ORDER

WP.No.14483 of 2026

INTERIM DIRECTION

