

IN THE HIGH COURT OF ANDHRA PRADESH AT AMARAVATI

FRIDAY, THE FIFTEENTH DAY OF MAY

TWO THOUSAND AND TWENTY SIX

:PRESENT:

THE HONOURABLE SRI JUSTICE TUHIN KUMAR GEDELA

WRIT PETITION NO: 14539 OF 2026



Between:

Sri.Podali Manohar, s/o P.Narayya age about 55 years, SC Mala R/o Teachers colony, Avilala village and post Tirupati rural

Petitioner

AND

1. The State of Andhra Pradesh, reptd by its Principal Secretary, Department of Municipal Administration and Urban Development Velagapudi village Amaravathi Mandal Guntur district
2. The Tirupati Urban Development Authority Tirupati, Rep by its Chairman 517501
3. The District Collector, Tirupati, Tirupati District 517501
4. The Revenue Divisional Officer, Tirupati, Tirupati district 517501
5. The Tahsildar, Tirupati rural mandal Tirupati district 517501

Respondents

Petition under Article 226 of the Constitution of India is filed praying that in the circumstances stated in the affidavit filed therewith, the High Court may be pleased issue an order, direction, or a writ one in the nature of mandamus, declaring the action of the respondents in particular Respondent no. 2/TUDA Tirupati in trying to take over the petitioners land in Ac.3-22 cents in Sy.no. 11 of Avilala village of Tirupathi Rural Mandal, Tirupati district and also trying to interfere in the peaceful possession and enjoyment of the same of the petitioner, and also trying to demolish the structures and house of the petitioner without following the due process of law and also in violation of the principles of natural justice as illegal, arbitrary and unconstitutional and consequentially direct the respondents in particular Respondent no.2 to not to interfere into the peaceful possession and enjoyment of the land of the petitioner by the respondents, in particular respondent no. 2, and also not to demolish any structures and a house in the said land in sy.no. 11 extent Ac.3-22 cents of Avilala village of Tirupati Rural Mandal Chittoor District and without following the due process of law and also principles of natural justice.

IA NO: 1 OF 2026

Petition under Section 151 CPC is filed praying that in the circumstances stated in the affidavit filed in support of the petition, the High Court may be pleased to direct the respondents in particular respondent no.2 not to interfere with the peaceful possession and enjoyment of the petitioner's land in sy.no.11 extent Ac. 3-22 cents of Avilala village of Tirupati Rural Mandal Chittoor District and not to demolish the house and other structures in the said land of the petitioner and Pending disposal of WP 14539 of 2026, on the file of the High Court.

The petition/Appeal coming on for hearing, upon perusing the Petition and the affidavit filed in support thereof and upon hearing the arguments of SRI S S BHATT Advocate for the Petitioner, GP MUNICIPAL ADMN AND URBAN DEV AP for the Respondent No.1, Sri K.K.DURGA PRASAD, Standing Counsel for Respondent No.2, GP for Revenue for Respondent Nos.3 to 5 and the Court made the following.

ORDER

“Heard Sri S.S.Bhatt, learned counsel for the petitioner, and Sri K.K.Durga Prasad, learned Standing Counsel appearing on behalf of Tirupati Urban Development Authority.

The petitioner filed the Writ Petition, ventilating his grievance stating that the respondents, particularly respondent No.2-TUDA, are trying to take over the petitioner's land admeasuring Ac.3-22 cents in Sy.No.11 of Avilala Village, Tirupathi Rural Mandal, Tirupati District and trying to interfere with the peaceful possession and enjoyment of the same and also trying to demolish the structures and houses without following due process.

The affidavit, filed in support of the Writ Petition, contains the facts, which disclose that earlier this Court had protected the petitioner from the respondents vide order, dated 04.01.2018, in I.A.No.1 of 2018 in W.P.No.719 of 2018, directing the respondents therein not to interfere with the subject property. The said interim order was vacated on 10.02.2026.

The learned counsel for the petitioner would contend that he has taken steps for filing a supporting Interlocutory Application and the same is pending. The 2 nd respondent, who is not a party to the earlier proceedings, is attempting to demolish the structures taking advantage of the situation that he is not arrayed as a party to the earlier Writ Petition.

Sri K.K.Durga Prasad, learned Standing Counsel, has fairly stated that the 2nd respondent in the present Writ Petition is not interfering with the petitioner's property. He also brought to the notice of this Court that the Writ Petition suffers from principle of res judicata under Section 11 of the Code of Civil Procedure, 1908.

Without going into facts and circumstances of this case, this Court deems it proper, in the interest of justice, to take down the instructions orally by the learned Standing Counsel that the respondents are not interfering and in view of the said undertaking, the 2nd respondent shall abstain from interfering with the same. However, if the respondents want to do, they can do so by following due process of law.

Post after Summer Vacation, 2026.”

//TRUE COPY//

SD/- U.SRIDEVI
DEPUTY REGISTRAR
SECTION OFFICER

To,

1. The Principal Secretary, The State of Andhra Pradesh, Department of Municipal Administration and Urban Development Velagapudi village Amaravathi Mandal Guntur district (By Special Messenger - along with a copy of petition and memorandum of grounds)
2. The Tirupati Urban Development Authority Tirupati, Rep by its Chairman 517501
3. The District Collector, Tirupati, Tirupati District 517501
4. The Revenue Divisional Officer, Tirupati, Tirupati district 517501
5. The Tahsildar, Tirupati rural mandal Tirupati district 517501. (by RPAD 1)
6. One CC to SRI. S S BHATT Advocate [OPUC]
7. Two CCs to GP MUNICIPAL ADMN AND URBAN DEV AP ,High Court Of Andhra Pradesh. [OUT]
8. Two CCs to GP FOR Revenue, High Court Of Andhra Pradesh at Amaravati. [OUT]
9. One CC to Sri KK Durga Prasad, Standing Counsel for Tirupathi Urban Development Authority, High Court Of Andhra Pradesh. [OUT]
10. One spare copy

TVSR

HIGH COURT

GTK,J

DATED: 15/05/2026

POST AFTER SUMMER VACATION, 2026

ORDER

WP.No.14539 of 2026

DIRECTION

