

Date of reserved for orders :-

Date of pronouncement :06.07.2026

Date of uploading :

APHC010313842026



IN THE HIGH COURT OF ANDHRA PRADESH

AT AMARAVATI

[3311]

(Special Original Jurisdiction)

Monday, the 6th day of July, 2026

Present

The Honourable Ms. Justice B. S. Bhanumathi

Writ Petition No: 16412 of 2026

Between:

Posupu Dharmaraju and another

...Petitioners

and

The State of Andhra Pradesh and others

...Respondents

Counsel for the petitioners:

1. Musudi Babji

Counsel for the respondents:

1. G.P. for Revenue

The Court made the following:

ORDER:

The writ petition is filed under Article 226 of the Constitution of India, seeking the following relief:

“...to issue writ or order or direction more particularly one in the nature of writ of mandamus declaring the action of the respondents Nos. 2 to 4 in not acting upon the representation of the petitioners dated 15.06.2026 to prevent the illegal and highhanded excavation of clay / soil from the lands of the petitioners to an extent of Ac. 1.10 cents each (total an extent of Ac. 2.20 cents) in Sy. No. 419 situated at Kamarajupeta Village, Gokavaram Mandal, East Godavari District by various persons who claimed to be the followers of the local M.L.A. as wholly illegal, arbitrary and in violation of Articles 14, 21 and 300-A of the Constitution of India and consequently direct the respondents Nos. 2 to 4 to consider the representation of the petitioners, dated 15.06.2026, to take appropriate action against the persons who are excavating clay / soil from the lands of the petitioners and to pass...”

2. Sri G. Divyatheja, learned Assistant Government Pleader for Revenue, placed on record a copy of written instructions of the respondent No. 4 vide Ref / C / 533 / 2026, dated 24.06.2026, wherein it is stated that as per the resettlement register (RSR), A-Register and adangal records, Sy. No. 419 of Kamarajupeta Revenue Village admeasuring Ac. 9.48 cents is classified and recorded as government poramboke ‘Komatiganti Cheruvu’. It is further stated that the petitioners relied on the proceedings of the year 1975 of the then Sub-Collector, Rajahmundry with regard to the subject land, but the said proceedings could not be established from the available government records and

also do not constitute assignment orders or D-Form pattas. Hence, it is stated that the petitioners have no right over the subject land.

3. The learned counsel for the petitioners submitted that since the petitioners are in possession and enjoyment of the subject land for a very long time, the writ petition may be disposed of with a direction to the respondents to follow due process for revocation of the proceedings, dated 03.08.1975, earlier issued by the then Sub-Collector, Rajahmundry, in favour of the petitioners.

4. In view of the submissions made and considering the fact that the petitioners are in possession of the subject land for a long time, the writ petition is disposed of with a direction to the respondents not to interfere with possession of the petitioners over the subject land. However, the respondents are at liberty to take action, in accordance with law, for revocation of the proceedings of the then Sub-Collector, Rajahmundry, dated 03.08.1975.

Pending miscellaneous applications, if any, shall stand closed.

JUSTICE B.S. BHANUMATHI

Dated: 06.07.2026
NSM

Whether the order is:

Speaking	☒	Reasoned	☐
Reportable	☐	Non-reportable	☒

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Dated: 06.07.2026
NSM