



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

[3601]

FRIDAY, THE 10th DAY OF JULY 2026

PRESENT

THE HONOURABLE SRI JUSTICE RAVI NATH TILHARI

**THE HONOURABLE SRI JUSTICE PURUSHOTTAM KUMAR
CHINTALAPUDI**

WRIT APPEAL NO: 967/2008

Writ Appeal under clause 15 of the Letters Patent Appeal preferred against the Order made in W.P.No.17409 of 2000 dt. 23.07.2008.

Between:

- 1.SMT. NARA CHINNAMMA,, W/O VENKATARAMANA, CULTIVATION, R/O S.KOTA VILLAGE & MANDAL, VIZINAGARAM DISTRICT.
- 2.NARA VENKATARAMANAMMA,, D/O. NARA CHINAMMA, AGED ABOUT 61 YEARS, OCC. RETD. EMPLOYEE, R/O S-KOTA VILLAGE AND MANDAL, VIZIANAGARAM DISTRICT.
- 3.NARA VIJAYA KUMARI, @ AVAGADDA VIJAYA KUMARI W/O. AVAGADDA SATYAM ,AGED ABOUT 59 YEARS, OCC. RETD. EMPLOYEE, R/O. S-KOTA VILLAGE AND MANDAL, VIZIANAGARAM DISTRICT.
- 4.NARA VENKATA KANAKA GANGA BHAVANI, @UNDABATLA SRINIVASA RAO AGED ABOUT 49 YEARS, R/O. FLAT NO. 103, CHENNAKSHARA APARTMENTS, M.B. COLONY, VISAKHAPATNAM DISTRICT.
- 5.NARA TIRUMALA KISHORE KUMAR, S/O.NARA CHINNAMMA AGED ABOUT 35 YEARS, R/O.S - KOTA VILLAGE AND MANDAL ,VIZIANAGARAM DISTRICT. APPELANT NO.2 TO 5 ARE BROUGHT ON RECORD AS LRS OF APPELANT NO.1 AS PER C.O.DT.20.08.2024 VIDE I.A.NO.1 OF 2015

...APPELLANT(S)

AND

- 1.THE CHIEF COMMISSIONER, LAND ADMINISTRATION, A.P., HYDERABAD.
- 2.THE JOINT COLLECTOR, VIZIANAGARAM.
- 3.THE REVENUE DIVISIONAL OFFICER, VIZIANAGARAM.
- 4.THE MANDAL REVENUE OFFICER, S.KOTA, VIZIANAGARAM DISTRICT.

...RESPONDENT(S):**IA NO: 1 OF 2008(WAMP 1991 OF 2008)**

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 direct the Respondent No.4 not to dispossess the petitioner from the land to an extent of Ac.1.60 Cents in S.No.478/1 in S.Kota Village and Mandal, Vizianagaram District, pending disposal of the above Writ Appeal and pass such other order or orders.

IA NO: 1 OF 2015(WAMP 2204 OF 2015)

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 For the reasons stated in the accompanying affidavit, it is just and necessary that this Hon'ble court may be pleased to bring:- A. Nara Venkataramanamma, D/o. Nara Chinnamma aged about 61 years, Occ. Retd. Employee, R/o. S-Kota Village and Mandal Vizianagaram District. B. Nara Vijaya Kumari @ Avagadda Vijaya Kumari W/o. Avagadda Satyam aged about 59 years, Occ. Retd. Employee, R/o. S-Kota Village and Mandal Vizianagaram District C. Nara Venkata Kanaka Ganga Bhavani @Undabatla Srinivasa Rao aged about 49 years, R/o. Flat No. 103, Chennakshara Apartments, M.B. Colony, Visakhapatnam District. D. Nara Tirumala Kishore Kumar S/o. Nara Chinnani aged about 35 years, R/o. S-Kota Village and Mandal Vizianagaram District as the L.R.'s of the deceased Petitioner as the proposed Petitioners Nos. 2 to 5 in the above matter and may pass

Counsel for the Appellant(S):

- 1.M BHASKARA LAKSHMI
- 2.M/S BHASKARI ADVOCATES

Counsel for the Respondent(S):

1.GP FOR REVENUE

The Court made the following:

THE HONOURABLE SRI JUSTICE RAVI NATH TILHARI
THE HONOURABLE SRI JUSTICE PURUSHOTTAM KUMAR
CHINTALAPUDI

WRIT APPEAL NO: 967/2008

ORDER: *(per Ravi Nath Tilhari, J)*

Heard Ms.G.Swathi, learned counsel for the appellants. Sri K.Dilip Naik, learned Assistant Government Pleader appears for the respondents.

2. The original writ appellant has died. The present appellants are the legal representatives, brought on record in place of original writ appellant.

3. W.P.No.17409 of 2000 was filed to set aside the orders dated 19.08.2000, 22.07.2000 and 07.02.2000 passed by respondent Nos.1 to 3 respectively as also the order dated 28.06.1999 passed by respondent No.4. The petitioner also sought for a consequential directions to the respondents not to evict the petitioner from the land to an extent of Ac.1.60 cents in Sy.No.478/1 in S.Kota Village and Mandal, Vizianagaram District.

4. The facts are that respondent No.4 issued notice dated 27.11.1998 under Section 7 of the A.P.Land Encroachment Act, 1905 (for short 'the Act, 1905') to the petitioner for her eviction from the land, which was classified as "Vagu Poramboke". Such land belongs to the Government. The petitioner filed the explanation to the notice and on consideration of the explanation, the order was passed under Section 6 of the Act on 28.06.1999 directing the petitioner to hand over vacant possession of the said land. The petitioner filed an appeal, which was dismissed by the Revenue Divisional Officer on

07.02.2000. Further appeal was also dismissed by the Joint Collector on 22.07.2000 and the revision petition was dismissed by the respondent No.1-Chief Commissioner on 19.08.2000. The writ petition has also been dismissed by the order dated 23.07.2008.

5. Learned Single Judge has recorded that so far as the petitioner's case for acquiring title to the Government land by adverse possession is concerned, it is a disputed question of fact or a mixed question of law and fact which cannot be agitated in the writ petition and can also not be determined as it require evidence. The competent forum is a Civil Court. The contention raised in the writ petition with respect to the applicability of Section 6 after specified period, the learned Single Judge observed that the delay did not in validate the order. The petitioner's further contention that the application was filed for assignment of that land was found unsupported as no document was filed before the learned Single Judge, so, observing the same, the writ petition was dismissed.

6. Learned counsel for the appellants after arguing at some length fairly submitted that the writ petition involved disputed question of facts and for determination of those questions evidence would be required.

7. Learned counsel for the writ appellants however further submits that the appellants are in possession of the land. In the writ appeal there is an interim direction not to dispossess the appellants. So, he submits that the appellants may be granted liberty to apply for the assignment of the land.

8. Learned Government Pleader submits that the nature of the land being 'vagu poramboke', no assignment is permissible.

9. On consideration of the submissions advanced, we are of the view that the writ petition involved disputed questions of facts. Once the writ court was not inclined to enter into the disputed question of facts, which for determination requires evidence, we find no reason to interfere with the order under challenge.

10. The Writ Appeal is dismissed.

11. However, the appellants are at liberty to seek such other remedy, as may be open to them under law and as may be advised.

No order as to costs.

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

RAVI NATH TILHARI,J

PURUSHOTTAM KUMAR CHINTALAPUDI,J

Dated: 10.07.2026
AG

134

THE HONOURABLE SRI JUSTICE RAVI NATH TILHARI
THE HONOURABLE SRI JUSTICE PURUSHOTTAM KUMAR
CHINTALAPUDI

WRIT APPEAL NO: 967/2008

Dated: 10.07.2026
AG