



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



WEDNESDAY, THE TWENTY FOURTH DAY OF SEPTEMBER
TWO THOUSAND AND TWENTY FIVE

PRESENT

THE HONOURABLE SRI JUSTICE B KRISHNA MOHAN

WRIT PETITION NO: 25493 OF 2020

Between:

1. Narapinni Chellayya, S/o Late Durgalu, Aged. 77 years, R/o Pedagollalapalem Post, Sabbavaram Mandal, Visakhapatnam District.
2. Narapinni Appa Rao, S/o Late Sanyasi, Aged. 53 years, R/o Nakkavanipalem, Paravada Mandal, Visakhapatnam District.
3. Narapinni Bangarraju, S/o Late Pydikonda, Aged. 38 years, R/o H.No.10-30, Nakkavanipalem, Paravada Mandal, Visakhapatnam District.

...Petitioners

AND

1. The State of Andhra Pradesh, Rep by its Principal Secretary, Department of Revenue (Assignment), Secretariat, Velagapudi, Amaravati, Guntur District.
2. The District Collector, Visakhapatnam District, Visakhapatnam.
3. The Revenue Divisional Officer, Visakhapatnam Revenue Division at Visakhapatnam, Visakhapatnam District.
4. The Tahsildar, Sabbavaram Mandal, Visakhapatnam 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 declaring the high handed and illegal action of the part of the Respondents particularly the 4th respondent in attempting to dispossess the petitioners from their possession and enjoyment and in proposing to allot house site Pattas under the scheme 'Navaratnalu-Pedalandarikiillu' in the property situated in an extent of Ac.20-88 5/8 cents covered by Sy.No.268-1 (T.D.No.911) of Gollalapalem Revenue Village, Sabbavaram Mandal, Visakhapatnam District, as illegal, arbitrary, ultra virus, unjust, against the principles of Natural Justice besides violation of Article 14, 21 and 300-A of the Constitution of India and to consequently, direct the respondents not to interfere with the petitioners' possession and enjoyment of the same in any manner including dispossession and proceeding further in respect of allotment of house sites in it, in the interest of justice.

IA NO: 1 OF 2020

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 issue an interim direction against the respondents not to dispossess the petitioners and not to proceed further in respect of allotment of house site pattas under the scheme "Navaratnalu Pedalandariki Illu" in the property situated in an extent of Ac.20-88 5/8 cents covered by Sy.No.268-1 (T.D.No.911) of Gollalapalem Revenue Village, Sabbavaram Mandal, Visakhapatnam District, during the pendency of this writ petition, in the interest of justice.

IA NO: 1 OF 2021

Between:

1. The State of Andhra Pradesh, Rep by its Principal Secretary, Department of Revenue (Assignment), Secretariat, Velagapudi, Amaravati, Guntur District.
2. The District Collector, Visakhapatnam District, Visakhapatnam.

3. The Revenue Divisional Officer, Visakhapatnam Revenue Division at Visakhapatnam, Visakhapatnam District.
4. The Tahsildar, Sabbavaram Mandal, Visakhapatnam District.

...Petitioners

AND

1. Narapinni Chellayya, S/o Late Durgalu, Aged. 77 years, R/o Pedagollalapalem Post, Sabbavaram Mandal, Visakhapatnam District.
2. Narapinni Appa Rao, S/o Late Sanyasi, Aged. 53 years, R/o Nakkavanipalem, Paravada Mandal, Visakhapatnam District.
3. Narapinni Bangarraju, S/o Late Pydikonda, Aged. 38 years, R/o H.No.10-30, Nakkavanipalem, Paravada Mandal, Visakhapatnam District.

...Respondents

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 vacate the interim order granted on 30.12.2020 in W.P.No.25493 of 2020 and dismiss the writ petition.

Counsel for the Petitioners: SRI K JYOTHI PRASAD

Counsel for the Respondents: GP FOR REVENUE

The Court made the following order:



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

[3233]

**WEDNESDAY, THE TWENTY FOURTH DAY OF SEPTEMBER
TWO THOUSAND AND TWENTY FIVE**

PRESENT

THE HONOURABLE SRI JUSTICE B KRISHNA MOHAN

WRIT PETITION NO: 25493/2020

Between:

1. NARAPINNI CHELLAYYA, S/O LATE DURGALU, AGED. 77 YEARS, R/O PEDAGOLLALAPALEM POST, SABBAVARAM MANDAL, VISAKHAPATNAM DISTRICT.
2. NARAPINNI APPA RAO,, S/O LATE SANYASI, AGED. 53 YEARS, R/O NAKKAVANIPALEM, PARAVADA MANDAL, VISAKHAPATNAM DISTRICT.
3. NARAPINNI BANGARRAJU,, S/O LATE PYDIKONDA, AGED. 38 YEARS, R/O H.NO.10-30, NAKKAVANIPALEM, PARAVADA MANDAL, VISAKHAPATNAM DISTRICT.

...PETITIONER(S)

AND

1. THE STATE OF ANDHRA PRADESH, REP BY ITS PRINCIPAL SECRETARY, DEPARTMENT OF REVENUE (ASSIGNMENT), SECRETARIAT, VELAGAPUDI, AMARAVATI, GUNTUR DISTRICT.
2. THE DISTRICT COLLECTOR, VISAKHAPATNAM DISTRICT, VISAKHAPATNAM.
3. THE REVENUE DIVISIONAL OFFICER, VISAKHAPATNAM REVENUE DIVISION AT VISAKHAPATNAM, VISAKHAPATNAM DISTRICT.
4. THE TAHSILDAR, SABBAVARAM MANDAL, VISAKHAPATNAM DISTRICT.

...RESPONDENT(S):

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 topleased to issue an appropriate writ, order or direction, more particularly one in the nature of writ of Mandamus declaring the high handed and illegal action of the part of the Respondents particularly the 4th respondent in attempting to dispossess the petitioners from their possession and enjoyment and in proposing to allot house site pattas under the scheme 'NAVARATNALU-PEDALANDARIKIILLU' in the property situated in an extent of Ac.20-88 5/8 cents covered by Sy.No.268-1 (T.D.No.911) of Gollalapalem Revenue Village, Sabbavaram Mandal, Visakhapatnam District, as illegal, arbitrary, ultra virus, unjust, against the principles of Natural Justice besides violation of Article 14, 21 and 300-A of the Constitution of India and to consequently, direct the respondents not to interfere with the petitioners' possession and enjoyment of the same in any manner including dispossession and proceeding further in respect of allotment of house sites in it, in the interest of justice and to pass

IA NO: 1 OF 2020

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 issue an interim direction against the respondents not to dispossess the petitioners and not to proceed further in respect of allotment of house site pattas under the scheme "NAVAI?ATNALU PEDALANDARIKI ILLU" in the property situated in an extent of Ac.20-88 5/8 cents covered by Sy.No.268-1 (T.D.No.911) of Gollalapalem Revenue Village, Sabbavaram Mandal, Visakhapatnam District, during the pendency of this writ petition, in the interest of justice and to pass

IA NO: 1 OF 2021

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 vacate the interim order granted on 30.12.2020 in W.P.No.25493 of 2020 and dismiss the writ petition

Counsel for the Petitioner(S):

1.K JYOTHI PRASAD

Counsel for the Respondent(S):

1.GP FOR REVENUE

The Court made the following Order:

Heard the learned counsel for the petitioners and the learned Assistant Government Pleader for the respondents.

2. This writ petition was filed questioning the action of the respondents particularly in attempting to dispossess the petitioners from their possession and enjoyment and in proposing to allot house site pattas under the scheme 'Navaratnalu Pedalandariki Illu' in the property situated in an extent of Ac.20-88 5/8 cents covered by Sy.No.268-1 (T.D.No.911) of Gollalapalem Revenue Village, Sabbavaram Mandal, Visakhapatnam District.

3. On the other hand, the learned Assistant Government Pleader relying upon the counter of the 4th respondent submits that the subject land is a Banjar land. She further submits that Ac.4.00 cents in Sy.No.268-1 of Gollalapalem village of Sabbavaram Mandal was identified as suitable for house sites to landless poor. As per the revenue records, the land in an extent of Ac.17.43 in Sy.No.268-1 of Gollalapalem village is classified as Banjar i.e., government land and no assignment has been made to any person in the subject land with reference to 22A Form III Assignment land register of Gollalapalem Village. It is false to say that the subject land is Inam Mettu with TD No.911, but the revenue records clearly indicate that the subject land is classified as Banjar i.e., purely a government land.

4. As stated supra, out of total extent, only Ac.4.00 cents was identified for providing house sites for the landless poor under the welfare scheme. Accordingly, layout is formed and pattas were distributed on 27.12.2020.

5. In view of the above said facts and circumstances, the remaining extent of the subject land i.e., Ac.13.43 cents in Sy.No.268-1 of Gollalapalem village shall be dealt with strictly in accordance with law by the respondent Nos.2 to 4 if so warranted for any public purpose and if not already used the same by now for the above said housing welfare scheme.

6. Accordingly, the writ petition is disposed of. Interim order if any, deemed to have been vacated. There shall be no order as to costs.

As a sequel, Miscellaneous Petitions pending, if any, shall stand closed.



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Sd/- K KASIRAO ACHARI
ASSISTANT REGISTRAR
SECTION OFFICER

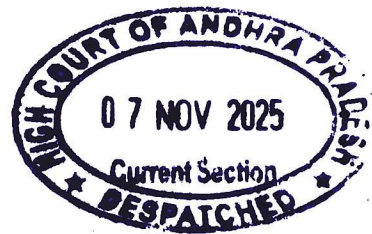
To,

1. The Principal Secretary, Department of Revenue (Assignment), State of Andhra Pradesh, Secretariat, Velagapudi, Amaravati, Guntur District.
2. The District Collector, Visakhapatnam District, Visakhapatnam.
3. The Revenue Divisional Officer, Visakhapatnam Revenue Division at Visakhapatnam, Visakhapatnam District.
4. The Tahsildar, Sabbavaram Mandal, Visakhapatnam District.
5. One CC to Sri. K Jyothi Prasad Advocate [OPUC]
6. Two CCs to GP for Revenue High Court of Andhra Pradesh [OUT]
7. Two CD Copies

gsc

HIGH COURT
DATED:24/09/2025

ORDER
WP NO. 25493 OF 2020



DISPOSING THE WP
WITHOUT COSTS