



APHC010409482025



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



MONDAY, THE ELEVENTH DAY OF AUGUST
TWO THOUSAND AND TWENTY FIVE

PRESENT

THE HONOURABLE SRI JUSTICE TARLADA RAJASEKHAR RAO

WRIT PETITION NO: 21013 OF 2025

Between:

Mandepudi Venkata Rao, S/o.Venkata Ratnam, aged about 76 years, R/o.
H.No. 1-75/6, Yetapaka Village and Mandal, Alluri Sitharama Raju District,
(Erstwhile West Godavari), Andhra Pradesh.

...Petitioner

AND

1. The State of Andhra Pradesh, Rep. by its Principal Secretary, Revenue Department, Secretariat Buildings, Velagapudi, Thullur Mandal, Guntur District, Andhra Pradesh.
2. The District Collector, Paderu, Alluri Sitharama Raju District, (Erstwhile West Godavari), Andhra Pradesh.
3. The Tahsildar, Yetapaka Mandal, Alluri Sitharama Raju District, (Erstwhile West Godavari), Andhra Pradesh.

...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 order, direction or writ, more particularly one in the nature of Writ of Mandamus declaring the action of the 3rd respondent in issuing the impugned Eviction Notice Ref. A/349/2025 dated 06.05.2025 under Section 7 of A.P. Land Encroachment Act, 1905, in respect of an extent of Ac. 0.20

cents in Sy.No. 156/3 of Yetapaka Village and Mandal, Alluri Seetharamaraju District, disregarding the petitioner's title and 56 years of possession, on the false ground that the petitioner has encroached Ac.0.69 cents in Sy.No.156/4 of Yetapaka Village and Mandal, Alluri Sitharamaraju District, for being illegal, arbitrary, without jurisdiction, against the catena judgments of the Hon'ble High Court and the Hon'ble Supreme Court of India, specifically as against the judgment in Pranav Oil Processing Industry Pvt. Ltd., Hyderabad vs. State of Andhra Pradesh and others, reported as 2021 (6) ALD 136 (TS), devoid of principles of natural justice and unconstitutional and consequently set aside the Eviction Notice of the 3rd respondent Ref. A/349/2025 dated 06.05.2025 under Section 7 of A.P. Land Encroachment Act, 1905.—

IA NO: 1 OF 2025 —

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 all further proceedings pursuant to the Eviction Notice of the 3rd respondent Ref. A/349/2025 dated 06.05.2025 under Section 7 of A.P. Land Encroachment Act, 1905, pending disposal of the Writ Petition.—

Counsel for the Petitioner: SRI VINOD KUMAR PEMMASANI —

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)**

[3330]

**MONDAY, THE ELEVENTH DAY OF AUGUST
TWO THOUSAND AND TWENTY FIVE**

PRESENT

THE HONOURABLE SRI JUSTICE TARLADA RAJASEKHAR RAO

WRIT PETITION NO: 21013/2025

Between:

1.MANDEPUDI VENKATA RAO, S/O.VENKATA RATNAM AGED ABOUT 76 YEARS, R/O. H.NO. 1-75/6, YETAPAKA VILLAGE AND MANDAL, ALLURI SITHARAMA RAJU DISTRICT, (ERSTWHILE WEST GODAVARI), ANDHRA PRADESH.

...PETITIONER

AND

1.THE STATE OF AP, REP. BY ITS PRINCIPAL SECRETARY, REVENUE DEPARTMENT, SECRETARIAT BUILDINGS, VELAGAPUDI, THULLUR MANDAL, GUNTUR DISTRICT, ANDHRA PRADESH.

2.THE DISTRICT COLLECTOR, PADERU, ALLURI SITHARAMA RAJU DISTRICT, (ERSTWHILE WEST GODAVARI),ANDHRA PRADESH.

3.THE TAHSILDAR, YETAPAKA MANDAL, ALLURI SITHARAMA RAJU DISTRICT, (ERSTWHILE WEST GODAVARI), ANDHRA PRADESH.

...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 to issue an order, direction or writ, more particularly one in the nature of Writ of Mandamus declaring the action of the 3RD respondent in issuing the impugned Eviction Notice Ref. A/349/2025 dated 06.05.2025 under Section 7 of A.P. Land Encroachment Act,1905, in respect of an extent of Ac. 0.20 cents in Sy.No. 156/3 of Yetapaka Village and Mandal, Alluri Seetharamaraju District, disregarding the petitioners title and 56 years of

possession, on the false ground that the petitioner has encroached Ac.0.69 cents in Sy.No.156/4 of Yetapaka Village and Mandal, Alluri Sitharamaraju District, for being illegal, arbitrary, without jurisdiction, against the catena judgments of the Honble High Court and the Hon'ble Supreme Court of India, specifically as against the judgment in Pranav Oil Processing Industry Pvt. Ltd., Hyderabad vs. State of Andhra Pradesh and others, reported as 2021 (6) ALD 136 (TS), devoid of principles of natural justice and unconstitutional and consequently set aside the Eviction Notice of the 3RD respondent Ref. A/349/2025 dated 06.05.2025 under Section 7 of A.P. Land Encroachment Act, 1905, and pass

IA NO: 1 OF 2025

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 all further proceedings pursuant to the Eviction Notice of the 3RD respondent Ref. A/349/2025 dated 06.05.2025 under Section 7 of A.P. Land Encroachment Act, 1905, pending disposal of the Writ Petition, and pass

Counsel for the Petitioner:

1.VINOD KUMAR PEMMASANI

Counsel for the Respondent(S):

1.GP FOR REVENUE

THE HONOURABLE SRI JUSTICE TARLADA RAJASEKHAR RAO

WRIT PETITION NO. 21013 of 2025

ORDER:

This Writ Petition is filed under Article 226 of Constitution of India for the following relief/s:-

“...to issue an order, direction or writ, more particularly one in the nature of Writ of Mandamus declaring the action of the 3rd respondent in issuing the impugned Eviction Notice Ref.A/349/2025 dated 06.05.2025 under Section 7 of A.P. Land Encroachment Act, 1905, in respect of an extent of Ac. 0.20 cents in Sy.No.156/3 of Yetapaka Village and Mandal, Alluri Seetharamaraju District, disregarding the petitioner's title and 56 years of possession, on the false ground that the petitioner has encroached Ac.0.69 cents in Sy.No.156/4 of Yetapaka Village and Mandal, Alluri Sitharamaraju District, for being illegal, arbitrary, without jurisdiction, against the catena judgments of the Hon'ble High Court and the Hon'ble Supreme Court of India, specifically as against the judgment in Pranav Oil Processing Industry Pvt. Ltd., Hyderabad vs. State of Andhra Pradesh and others, reported as 2021 (6) ALD 136 (TS), devoid of principles of natural justice and unconstitutional and consequently set aside the Eviction Notice of the 3rd respondent Ref.A/349/2025 dated 06.05.2025 under Section 7 of A.P.Land Encroachment Act, 1905, and to pass such other order or orders...”

2. The grievance of the petitioner is that the petitioner purchased the property from his vendor in the year 1969. Since then, he is in possession of the property. Now the 3rd respondent issued the impugned show-cause notice under Section 7 of the Andhra Pradesh Land Encroachment Act, 1905, on 06.05.2025, directing the petitioner herein to show cause either in person or in writing before the Tahsildar-3rd respondent why the petitioner should not be evicted from the Government Land and forfeiture of buildings, constructed in Sy.No.156/4.

3. Heard learned counsel for the petitioner and learned counsel for the respondents.

3. Learned Assistant Government would submit that the petitioner may submit explanation to the show-cause notice dated 06.05.2025, on submitting the explanation to the show cause notice, the 3rd respondent will consider and will deliver appropriate orders in accordance with law. Petitioner may be directed to submit explanation within three (03) weeks from the date of receipt of this order. On receiving the explanation, the 3rd respondent will consider the same in accordance with law.

4. Accordingly, the Writ Petition is disposed of directing the petitioner herein to submit the explanation within three (03) weeks from the date of receipt of the order and the 3rd respondent is hereby directed to consider the explanation submitted by the petitioner and pass appropriate orders in accordance with law and communicate the same to the petitioner. Till such time, the respondent authority shall not evict the petitioner from the subject land. There shall be no order as to costs.

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

**Sd/- M RAMESH BABU
DEPUTY REGISTER**

//TRUE COPY//


SECTION OFFICER

To,

1. The Principal Secretary, Revenue Department, Secretariat Buildings, Velagapudi, Thullur Mandal, Guntur District, Andhra Pradesh.
2. The District Collector, Paderu, Alluri Sitharama Raju District, (Erstwhile West Godavari), Andhra Pradesh.

3. The Tahsildar, Yetapaka Mandal, Alluri Sitharama Raju District, (Erstwhile West Godavari), Andhra Pradesh.
4. One CC to Sri Vinod Kumar Pemmasani Advocate [OPUC]
5. Two CCs to GP for Revenue High Court of Andhra Pradesh [OUT]
6. Two CD Copies

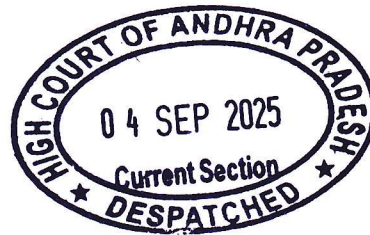
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HIGH COURT

DATED:11/08/2025

ORDER

WP NO. 21013 OF 2025



DISPOSING OF THE W.P., WITHOUT COSTS