



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

[3330]

**TUESDAY, THE TWENTY EIGHTH DAY OF APRIL
TWO THOUSAND AND TWENTY SIX**

PRESENT

**THE HONOURABLE SRI JUSTICE TARLADA RAJASEKHAR RAO
WRIT PETITION NO: 22024/2023**

Between:

1.K.P.GANGI REDDY, S/O LATE K.MUNI REDDY, AGED ABOUT
65 YEARS, AGRICULTURIST, R/O GANGUDUPALLI VILLAGE,
CHANDRAGIRI MANDAL, TIRUPATI DISTRICT.

...PETITIONER

AND

- 1.THE STATE OF AP, REP. BY ITS PRINCIPAL SECRETARY,
REVENUE DEPARTMENT, SECRETARIAT, VELAGAPUDI,
GUNTUR DISTRICT.
- 2.THE REVENUE DIVISIONAL OFFICER, TIRUPATHI,
TIRUPATHI DISTRICT.
- 3.THE TAHSILDAR, CHANDRAGIRI MANDAL, TIRUPATHI
DISTRICT.
- 4.THE EXECUTIVE ENGINEER, IRRIGATION DIVISION,
TIRUPATI, TIRUPATHI DISTRICT.
- 5.KAMASANI MUNIRATHNAM REDDY, S/O K.MUNI REDDY,
AGED ABOUT 46 YEARS, R/O D.NO.2-95, GANGUDU PALLI
VILLAGE, CHANDRAGIRI MANDAL, TIRUPATHI DISTRICT.
R5 IS IMPEADED AS PER THE COURT'S ORDER
DT.16.04.2026 IN I.A.NO.02 OF 2026.

...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 a writ, order or direction more particularly one in the nature of writ of Mandamus declaring the order passed in D.Dis.G/522/2023 dt.6.7.2023 issued by the 2nd respondent herein as being illegal, arbitrary and contrary to without jurisdiction and contrary to the provisions of A.P. Government Lands and Buildings (Termination of Leases) Act, 1986 and consequently set-aside the same and pass

IA NO: 1 OF 2023

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 grant stay of all further proceedings in pursuant to proceedings in D.Dis.G/522/2023 dt.6.7.2023 issued by the 2nd respondent herein in respect of the schedule property of the writ

petitioner in Sy.No.365/8 of in an extent of Ac.1.77 cents situated at Dornakambala village, Chandragiri Mandal, Tirupathi District pending disposal of the above writ petition and to pass

IA NO: 1 OF 2026

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 Pleased to vacate the interim order dated 24.08.2023 in WP.No.22024 of 2023 and dismiss the writ petition and pass

IA NO: 2 OF 2026

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 May be pleased to implead the Implead Petitioner/ Proposed Respondent No.5 herein as Party Respondent No. 5 in WP.No.22024/2023 and pass

Counsel for the Petitioner:

1. SUBBA RAO KORRAPATI

Counsel for the Respondent(S):

1. GP FOR REVENUE

2. SODUM ANVESHA

3. GP FOR IRRIGATION COMM AREA DEV

The Court made the following:

THE HONOURABLE SRI JUSTICE TARLADA RAJASEKHAR RAO
WRIT PETITION No.22024 of 2023

ORDER:-

The present Writ Petition is filed under Article 226 of the Constitution of India seeking the following relief:

“...to issue a writ, order or direction more particularly one in the nature of writ of Mandamus declaring the order passed in D.Dis.G/522/2023 dt.6.7.2023 issued by the 2nd respondent herein as being illegal, arbitrary and contrary to without jurisdiction and contrary to the provisions of A.P. Government Lands and Buildings (Termination of Leases) Act, 1986 and consequently set-aside the same and pass such other order in the interest of justice....”

2. Heard learned counsel for the petitioner, learned Assistant Government Pleader for Revenue for respondent Nos.1 to 3 and Sri Mocherla Deepak Bhargavaram, learned counsel for respondent No.5.

3. The Tahsildar issued a notice dated 21.03.2023 under Section 6 of the Land Encroachment Act (hereinafter for short ‘the Act’). Challenging the said notice issued under Section 6 of the Act, the petitioner preferred an appeal before the Revenue Divisional Officer under Section 10 of the Act. The Revenue Divisional Officer has dismissed the appeal *vide* impugned proceedings dated 06.07.2023 with the following observations:

“...no right over the land and the Tahsildar or Deputy Tahsildar has the powers of removing the tress at any time without compensation. Therefore the appellant is liable for eviction from the water body to protect the public interest communal land...”

4. The contention raised by the learned counsel for the petitioner is that the petitioner has raised several grounds before the authority, however, the same were not addressed by the 2nd respondent in the impugned proceedings and further stated that it is a settled proposition of law that a quasi-judicial authority, while exercising judicial power it is obligation on the authority to assign reasons when disposing the appeal. On perceiving the order, the authority has not assigned any reasons before rejecting the appeal filed by the petitioner under Section 10 of the Act. As such, the impugned order is liable to be set aside.

5. Hence, with the consent of both the learned counsels, the present Writ Petition is disposed of by setting aside the impugned proceedings dated 06.07.2023 and the matter is remanded back to the 2nd respondent to adjudicate afresh, after giving opportunity of hearing to all the affected parties, and pass appropriate reasoned order within a period of three months from the date of receipt of a copy of this order. There shall be no order as to costs.

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

JUSTICE TARLADA RAJASEKHAR RAO

Date: 28.04.2026

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THE HONOURABLE SRI JUSTICE TARLADA RAJASEKHAR RAO

Writ Petition No.22024 of 2023

28.04.2026

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