

**WRIT APPEAL NO: 929 of 2025**

Arigela Rambabu and another

...Appellants

Vs.

The State of Andhra Pradesh and others

...Respondents

Advocate for appellants : Ms. Nimmagadda Revathi

Advocate for respondents : Learned G.P. for Panchayat Raj and Rural Development, Sri Mattegunta Sudhir, learned Standing Counsel For Z.P.Ps, M.P.Ps & Gram Panchayats, learned G.P. for Revenue.

**CORAM : THE CHIEF JUSTICE DHIRAJ SINGH THAKUR
SRI JUSTICE RAVI CHEEMALAPATI****DATE : 2nd September 2025****P C :**

The petitioners had already filed a civil suit for partition *vide* O.S.No.253 of 2022 which is pending in the Court of the Junior Civil Judge, Darsi against private respondent No.12 .

It appears that an interim application for grant of interim relief was also filed by the petitioners/appellants herein for restraining the defendant/respondent No.12 herein from alienating the subject matter of the suit for creating any encumbrance thereupon. Admittedly, no interim relief was granted in favour of the petitioners/appellants in the civil suit so filed.

Be that as it may, the appellants preferred W.P.No.5691 of 2025 alleging that the private respondent No.12 herein was trying to alienate the property in question, which is otherwise the subject matter of dispute, in gross

violation of the provisions of the Andhra Pradesh Agricultural Land (Conversion for Non Agricultural Purposes) Act, 2006 inasmuch as no permission had been obtained by the said respondent No.12 from the Revenue Divisional Officer, Prakasam District as also the Tahsildar, Darsi Mandal, Prakasam District/respondent Nos.9 and 10 herein.

It is stated that in the absence of the requisite permission under the aforementioned Act notwithstanding the pendency of the dispute between the appellants and the private respondent No.12, the layout could not have been permitted in favour of respondent No.12 and in any case, the alienation based upon such an illegal and unplanned layout was impermissible.

Reliance has also been placed upon an earlier order passed by this Court on 05.03.2024 in W.A.No.685 of 2023 in **Koguru Suresh Babu vs. State of Andhra Pradesh** (2024 SCC Online AP 560).

With a view to get some clarity on the issue, we direct respondent Nos.9 and 10 to clarify as to whether any permission was ever applied for or obtained by private respondent No.12.

List on 09.09.2025.

DHIRAJ SINGH THAKUR, CJ

RAVI CHEEMALAPATI, J

AMD