



IN THE HIGH COURT OF ANDHRA PRADESH AT AMARAVATI
TUESDAY, THE SECOND DAY OF SEPTEMBER
TWO THOUSAND AND TWENTY FIVE

:PRESENT:

HONOURABLE SRI DHIRAJ SINGH THAKUR, THE CHIEF JUSTICE

AND

THE HONOURABLE SRI JUSTICE RAVI CHEEMALAPATI

WRIT APPEAL NO: 929 OF 2025

(Writ Appeal under clause 15 of the Letter Patent is filed being aggrieved by the Order dated 10.03.2025 made in W.P.No.5691 of 2025)

Between:

1. Arigela Rambabu, S/o. Chinna Koteswara Rao, Aged 37 years, Occ: Cultivation, R/o. Rajampalli Village, Darsi Mandal, Prakasam District.
2. Arigela Sreenu, S/o. Chinna Koteswara Rao, Aged 35 years, Occ: Cultivation, R/o. Rajampalli Village, Darsi Mandal, Prakasam District.

**Appellants/
Petitioners**

AND

1. The State of Andhra Pradesh, Rep. by its Principal Secretary to Government, Panchayat Raj & Rural Development Department, Secretariat, Velagapudi, Amaravati, Guntur District.
2. The State of Andhra Pradesh, Rep. by its Principal Secretary to Government, Revenue Department, Secretariat, Velagapudi, Amaravati, Guntur District.
3. The Director of Town & Country planning, Government of Andhra Pradesh, MGM Capital, Ground Floor, Mangalagiri, Guntur District.
4. Deputy Director of Town and Country Planning, Government of Andhra Pradesh, MGM Capital, Ground Floor, Mangalagiri, Guntur District.
5. The Chief Planning Officer, Prakasam District at Ongole.

6. The Town Planning Officer, Ongole Town, Prakasam District.
7. The District Collector, (Panchayat Wing), Prakasam District.
8. The District Panchayat Officer, Darsi Mandal, Prakasam District.
9. The Revenue Divisional Officer, Darsi Mandal, Prakasam District.
10. The Tahsildar, Darsi Mandal, Prakasam District.
11. The Executive Authority-cum-Secretary, Rajampalli, Grama Panchayat, Annavaram Village, Darsi Mandal, Prakasam District.
12. Avula Ramanamma, W/o. Koti Reddy, Aged 54 years, Occ: House-Wife, R/o. D.No.4-1064, Kothareddypalem Village, Darsi Mandal, Prakasam District.

Respondents/Respondents

IA No. 1 OF 2025

Petition under Section 151 CPC is filed praying that in the circumstances stated in the grounds filed in support of the petition, the High Court may be pleased to suspend the operation of Order, dt. 10.03.2025 passed in W.P. No. 5691 of 2025 and consequently direct the Respondents 3 to 11 to prevent the illegal and unauthorized layouts being carried out by the 12th Respondent, Pending disposal of WA No. 929 of 2025, on the file of the High Court.

The Appeal coming on for hearing, upon perusing the Petition and the affidavit filed in support thereof and upon hearing the arguments of NIMMAGADDA REVATHI, Advocate for the Appellants, GP FOR PANCHAYAT RAJ & RURAL DEV for the Respondent Nos.1 to 8, learned GP FOR REVENUE for the Respondent Nos.9&10 and of Sri MATTEGUNTA SUDHIR, Standing Counsel for the Respondent No.11, the Court made the following.

ORDER:

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.

SD/- P.VINOD KUMAR
ASSISTANT REGISTRAR

//TRUE COPY//

SECTION OFFICER

For

To,

1. The Principal Secretary to Government, Panchayat Raj & Rural Development Department, Secretariat, Velagapudi, Amaravati, Guntur District, State of Andhra Pradesh (BY SPECIAL MESSENGER)
2. The Principal Secretary to Government, Revenue Department, Secretariat, Velagapudi, Amaravati, Guntur District, State of Andhra Pradesh (BY SPECIAL MESSENGER)
3. The Director of Town & Country planning, Government of Andhra Pradesh, MGM Capital, Ground Floor, Mangalagiri, Guntur District.
4. Deputy Director of Town and Country Planning, Government of Andhra Pradesh, MGM Capital, Ground Floor, Mangalagiri, Guntur District.
5. The Chief Planning Officer, Prakasam District at Ongole.
6. The Town Planning Officer, Ongole Town, Prakasam District.
7. The District Collector, (Panchayat Wing), Prakasam District.
8. The District Panchayat Officer, Darsi Mandal, Prakasam District.
9. The Revenue Divisional Officer, Darsi Mandal, Prakasam District.(BY SPEED POST)
10. The Tahsildar, Darsi Mandal, Prakasam District. (BY SPEED POST)
11. The Executive Authority-cum-Secretary, Rajampalli, Grama Panchayat, Annavaram Village, Darsi Mandal, Prakasam District.

12. Avula Ramanamma, W/o. Koti Reddy, Aged 54 years, Occ: House-Wife, R/o. D.No.4-1064, Kothareddypalem Village, Darsi Mandal, Prakasam District. (Addressee Nos.3 to 8, 11 &12 by RPAD)
13. One CC to M/s. NIMMAGADDA REVATHI Advocate [OPUC]
14. Two CCs to GP FOR PANCHAYAT RAJ. RURAL DEV ,High Court Of Andhra Pradesh. [OUT]
15. Two CCs to GP FOR REVENUE, High Court of Andhra Pradesh. [OUT]
16. One CC to SRI MATTEGUNTA SUDHEER, STANDING COUNSEL [OPUC]
17. Two spare copies

KJ

HIGH COURT

HC,J&
RC,J

DATED:02/09/2025

LIST ON 09.09.2025

ORDER

WA.No.929 of 2025

INTERIM DIRECTION

