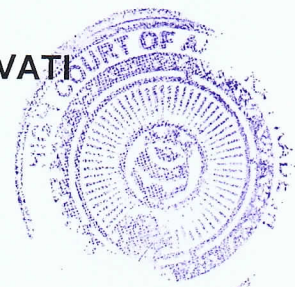


IN THE HIGH COURT OF ANDHRA PRADESH AT AMARAVATI
(SPECIAL ORIGINAL JURISDICTION)

WEDNESDAY, THE TWENTIETH DAY OF AUGUST,

TWO THOUSAND AND TWENTY FIVE



:PRESENT:

THE HONOURABLE SRI JUSTICE TARLADA RAJASEKHAR RAO

WRIT PETITION NO: 22075 OF 2025

Between:

1. Sri Paturu Subba Reddy, s/o Vemula Reddy, age about 36 years, Occupation agriculture cooly & agriculture d.no.3-36, nallapareddypalle village besthapalle village post penagaluru mandalam annamayya district
2. Lingalagari Hari Babu, s/o Panchalaiah aged about 22 years, nallapareddypalle village besthapalle village post penagaluru mandalam annamayya district
3. Sri Malireddy chenchu reddy, S/o Malireddy Narasareddy Aged about 65 years, d.no. 1-99 F, nallapareddypalle village besthapalle village post, penagaluru mandalam annamayya district
4. Sri Malireddy Narasimha Reddy, s/o Chenchu Reddy Aged about 35 years, d.no. 1-99 E, nallapareddypalle village besthapalle village post, penagaluru mandalam annamayya district
5. Sri Anala Mahesh, s/o chantayya aged about 30 years, d.no. 1-87B, nallapareddypalle village besthapalle village post penagaluru mandalam annamayya district
6. Smt. Tummala Ranemma, w/o Panchulaiah aged about 55 years d no 12-88-1, ananthampalle village chakrampeta post, Penagaluru mandalam annamayya district.

...Petitioners

1. The State of Andhra Pradesh, repled by its Principal Secretary, revenue Dept, Secretariat Velagapudi village, Amaravathi, Guntur district, Andhra Pradesh, Pin code 522238
2. The District Collector, annamayya at Rayachoty
3. The Revenue Divisional Officer, Rajampet, Annamayya district
4. The Tahsildar, Penagaluru mandal, Annamayya district

...Respondents

Petition under Article 226 of the Constitution of India, is filed 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 Mandamus, declaring the action of the Respondent no. 4/ tahsildar Penagalur Mandalam of Annamayya district in trying to usurp, take over the petitioners lands and dispossess them from the respective lands and demolish several trees borewells sheds etc, in the said lands of petitioner no.1) sy.no 218 Extent Ac.4-00 cents petitioner no.2) sy.no.218 Ac.0-99 cents, petitioner no.3) syno. 212 Ac. 1-18 cents and syno. 213/1 ext. ac. 1-37 cents, petitioner no.4) syno. 155 extent ac.1-31 cents, petitioner no.5) syno. 124 Ac. 1-40 cents petitioner no. 6) syno. 152-1 Ac. 2-47 cents of Nallappareddypalle village of Penagalur mandalam of kadapa district without following due process of law and also without issuance of any notice to the petitioners pending enquiry before the Tahsildar Penagalur and also not issuing DKT pattas to the petitioners for the above said lands instead the respondents/tahsildar Penagalur in particular trying to dispossess the petitioners and trying to demolish the trees bore wells, power connections etc., of the petitioners in the above lands as illegal unconstitutional and consequently direct the respondents in particular the Tahsildar Penagalur to issue/recommend to higher authorities for issuance of

the DKT pattas to the petitioners for their respective lands as stated above and also not to take any coercive steps dispossessing the petitioners from their respective above said lands and also not to demolish any trees, borewells, etc. therein.

IA NO: 1 OF 2025

Petition under Section 151 CPC., is filed praying that in the circumstances stated in the affidavit filed in support of the petition, the High Court may be pleased to direct the respondents in particular the Tahsildar Penagalur to issue/recommend to higher authorities for issuance of the DKT pattas to the petitioners for their respective lands of petitioner no.1) sy.no 218 Extent Ac.4-00 cents petitioner no.2) sy.no.218 Ac.0-99 cents, petitioner no.3) syno. 212 .Ac. 1-18 cents and syno. 213/1 ext. ac. 1-37 cents, petitioner no.4) syno. 155 extent ac.1-31 cents, petitioner no.5) syno. 124 Ac. 1-40 cents petitioner no. 6) syno. 152-1 Ac. 2-47 cents of Nallappareddypalle village of Penagalur mandalam of kadapa and also not to take any coercive steps like dispossessing the petitioners from their respective above said lands and also not to demolish any trees, borewells, etc. therein.

The petition coming on for hearing, upon perusing the Petition and the affidavit filed in support thereof and upon hearing the arguments of Sri. S S BHATT, Advocate for the Petitioners and of GP FOR REVENUE, for the Respondent Nos. 1 to 4;

The Court made the following ORDER:

Admittedly the petitioners herein have purchased the property from the assignees. It is asserted in the affidavit that the petitioners are *bona fide* purchasers of the subject land and urged this Court to protect their interest in the event of dispossession of the writ petitioner.

Learned State Counsel would submit that the petitioners have not purchased the property from the assignees and they are the

encroachers of the property and they are not the agreement holders with the assignees.

It is held in numerous judgments even the true owner has no right to dispossess the trespasser who is in settled possession and the rightful owner has to take recourse to law.

Therefore the respondents are directed to proceed with the enquiry in accordance with law. However, the respondents are directed not to dispossess the writ petitioners for a period of six weeks.

Meanwhile, respondents are directed to file their counter.

List the matter after four weeks.

//TRUE COPY//

SD/- U. SRIDEVI
ASSISTANT REGISTRAR
[Signature]
SECTION OFFICER

To,

1. The Principal Secretary, Revenue Dept, The State of Andhra Pradesh, Secretariat Velagapudi village, Amaravathi, Guntur district, Andhra Pradesh, Pin code 522238. (by SPECIAL MESSENGER)
2. The District Collector, annamayya at Rayachoty
3. The Revenue Divisional Officer, Rajampet, Annamayya district
4. The Tahsildar, Penagaluru mandal, Annamayya district. (Addressee Nos. 2 to 4 BY RPAD)
5. One CC to Sri. S S BHATT, Advocate [OPUC]
6. Two CCs to GP FOR REVENUE, High Court Of Andhra Pradesh. [OUT]
7. One spare copy

JSS

HIGH COURT

TRR, J

DATED:20/08/2025

LIST THE MATTER AFTER FOUR WEEKS.

ORDER

WP.No.22075 of 2025

DIRECTION

