



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

[3329]

**TUESDAY, THE SEVENTH DAY OF OCTOBER
TWO THOUSAND AND TWENTY FIVE**

PRESENT

THE HONOURABLE SRI JUSTICE VENKATESWARLU NIMMAGADDA

WRIT PETITION NO: 27048/2025

Between:

1. MAGANTI SUBRAMANYA CHOWDARY, S/O. LATE
MALLIKARJUNARAO, AGED ABOUT 74 YEARS, R/O. FLOT NO. 5,
VASUDGHA APARTMENTS, GANDHI NAGAR, VIAJAYWADA.

...PETITIONER

AND

1. THE STATE OF ANDHRA PRADESH, REP BY ITS PRINCIPLE
SECRETARY MUNICIPAL ADMINISTRATION DEPARTMENT, AP
SECRETARIAT, VELAGAPUDI, GUNTUR DISTRICT.

2. THE ANDHRA PRADESH CAPITAL REGION DEVELOPMENT
AUTHORITY, (AP CRDA) REP. BY ITS COMMISSIONER, LENIN
CENTRE, VIJAYAWADA.

3. K MOHAN RAO, GPA HOLDER OF NALLA JARLA RENUKA FLOT
NO. 409, SAI RAJINI, BLOCK BURDHAVAN APARTMENTS, BSNL
ROAD, PENAMALURU MANDAL, KRISHNA DISTRICT.

...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 writ or direction more particularly writ of Mandamus to declaring the action of the respondent No. 2 in issuing the notice vide Rc. No. CRDA/12021(41)/8/2018 dated 06.09.2025 for survey of land boundary dispute in between the 3rd respondent and the petitioner, any other notice, until the Civil Courts proceedings over O.S. No. 348/2016 and

O.S. No. 164/2018 have finally adjudicated the matter and declare the 2nd Respondent had no jurisdiction to issue the impugned order or notices, or to act in a manner that interferes with the matters pending before the Civil Courts is violation of article 300A of Constitution of India and consequently suspend the notice Rc. No. CRDA/12021(41)/8/201 8 dated 06.09.2025 and Pass such

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 may be pleased to suspend the Notice vide Rc. No. CRDA/12021(41)/8/2018 dated 06.09.2025 pending disposal of the above writ petition and Pass such

Counsel for the Petitioner:

1. G N V PULLA RAO

Counsel for the Respondent(S):

1. GP FOR MUNICIPAL ADMN URBAN DEV

2. S PRANATHI

The Court made the following:

THE HON'BLE SRI JUSTICE VENKATESWARLU NIMMAGADDA**WRIT PETITION NO: 27048/2025****ORDER:**

This writ petition is filed under Article 226 of the Constitution of the India seeking the following reliefs:-

“to issue a writ, order or direction more particularly one in the nature of Writ of Mandamus declaring the action of the respondent No.2 in issuing the notice vide Rc.No.CRDA/12021(41)/8/2018 dated 06.09.2025 for survey of land boundary dispute in between the 3rd respondent and the petitioner, any other notice, until the Civil Courts proceedings over O.S.No.348/2016 and O.S.No.164/2018 have finally adjudicated the matter and declare the 2nd respondent had no jurisdiction to issue the impugned order or notices, or to act in a manner that interferes with the matters pending before the Civil Courts is violation of Article 300-A of Constitution of India and consequently suspend the notice Rc.No.CRDA/12021(41)/8/2018 dated 06.09.2025 and pass such other order.”

2. Heard learned counsel for the petitioner and the learned Standing Counsel for respondent No.2.

3. Learned counsel for the petitioner submits that the unofficial respondent No.3 herein filed suits i.e., O.S.No.348 of 2016 before the Principle Junior Civil Judge, Mangalagiri and O.S.No.164 of 2018 before the IV Additional District Judge, Mangalagiri, claiming rights in respect of the lands in Sy.Nos.399, 399/1 of Atmakuru Village and seeking for permanent injunction against the petitioner herein and others.

4. Learned counsel for the petitioner further submits that during the pendency of the civil proceedings, respondent No.3 submitted an application seeking for conducting joint survey in respect of the subject lands in Sy.Nos.399, 399/1 of Atmakuru Village. Considering the request of respondent No.3, respondent No.2 issued notice dated 06.09.2025 to the persons concerned including the petitioner being a neighbor of the subject land informing that they are proposing to conduct survey on 11.09.2025. He further submits that the survey already been conducted and completed on 11.09.2025. For which, the petitioner submitted objections. But the same were not considered by the respondents. He further submits that pending the civil suits, no survey should be conducted to defeat the interest of the parties to the suit. Even though the petitioner submitted objections, the same were not considered by respondent No.2. Hence, the Writ Petition.

5. On the other hand, learned Standing Counsel for respondent No.2 submits that by the date of filing of the present writ petition, the survey was already conducted and completed. As contended by the learned counsel for the petitioner, no objections were submitted by the petitioner to respondent No.2 objecting the survey or survey report. In the absence of any written objections by the petitioner, respondent No.2 need not to be consider any oral objections submitted by the petitioner if any. She further submits that

since, the survey was already completed, no cause survives for further adjudication and the Writ Petition can be disposed of.

6. Considering the submissions made by learned counsel for the petitioner and the learned Standing Counsel for respondent No.2 and on perusal of the material placed on record, the fact remains that the present Writ Petition is filed after completion of the survey on 11.09.2025. Even though, learned counsel for the petitioner contended that the petitioner submitted objections, but the same were not filed along with the writ petition to substantiate his claim of submission of objections in respect of the subject survey conducted by respondent No.2 herein. Admittedly, survey was already completed and after completion of the same, the Writ Petition is filed seeking not to conduct any survey, since respondent No.2 has no jurisdiction to conduct such survey.

7. In view of the observations as made above, the petitioner is at liberty to submit representation to respondent No.2 for redressal of his grievance if any. Accordingly, the Writ Petition is disposed of. There shall be no order as to costs.

As a sequel miscellaneous application, pending, if any, shall also stand closed.

VENKATESWARLU NIMMAGADDA, J

07.10.2025
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HON'BLE SRI JUSTICE VENKATESWARLU NIMMAGADDA

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