

APHC010520832025



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

[3458]

TUESDAY, THE 18th DAY OF AUGUST 2026

PRESENT

THE HONOURABLE SMT JUSTICE KIRANMAYEE MANDAVA

WRIT PETITION NOs: 29952/2015 & 26765/2025

WRIT PETITION NO: 29952/2015

Between:

- 1.KODURI KRISHNAVENI,, W/O. LAXMA REDDY, AGED 66 YEARS,
R/O. JANGAREDDYGUDEM V & M, WEST GODAVARI DISTRICT

...PETITIONER

AND

- 1.THE STATE OF ANDHRA PRADESH, REP. BY ITS PRINCIPAL
SECRETARY, TRIBAL WELFARE DEPARTMENT, SECRETARIAT
BUILDINGS, SECRETARIAT, HYDERABAD.
- 2.THE AGENT TO GOVT /DIST COLLECTOR, WEST GODAVARI
DISTRICT, ELURU.
- 3.THE SPL DY COLLECTOR TW, POLAVARAM, WEST GODAVARI
DISTRICT.

...RESPONDENT(S):

Counsel for the Petitioner:

- 1.P R K AMERANDRA KUMAR

Counsel for the Respondent(S):

- 1.GP FOR SOCIAL WELFARE (AP)

WRIT PETITION NO: 26765/2025

Between:

- 1.SMT. SOYAM KANNAMMA, W/O VENKATESWARARAO, FEMALE,
AGED ABOUT 49 YEARS, R/O SIRIVARIGUDEM VILLAGE,
JEELUGUMILLI MANDAL, ELURU DISTRICT

...PETITIONER

AND

- 1.THE STATE OF ANDHRA PRADESH, REP BY IT'S PRINCIPAL SECRETARY TRIBAL WELFARE DEPARTMENT, SECRETARIATE VELAGAPUDI, AMARAVATI, GUNTUR DISTRICT.
- 2.THE ADDITIONAL AGENT TO THE GOVERNMENT / PROJECT OFFICER, K.R. PURAM, ELURU DISTRICT.
- 3.THE SPECIAL DEPUTY COLLECTOR, (T.W), K.R. PURAM, (POLAVARAM) ELURU DISTRICT.
- 4.THE TAHSILDAR, JEELUGUMILLI, JELUGUMILLI MANDAL, ELURU DISTRICT.
- 5.SMT KODURI KRISNAVENI, W/O LAXMIREDDY, R/O D.NO. 22-170, J.P.CENTER, SUBBAM PETA, JANGAREDDYGUDEM VILLAGE AND MANDAL, ELURU DISTRICT.

...RESPONDENT(S):

Counsel for the Petitioner:

- 1.TELLAM NAVEEN KUMAR

Counsel for the Respondent(S):

- 1.GP FOR REVENUE
- 2.GP FOR SOCIAL WELFARE
- 3.POLOTHI RAGA SAMYUKTHA

The Court made the following Common Order:

Heard Sri P.R.K. Amarendra Kumar, learned counsel for the petitioners, and the learned Government Pleader for Social Welfare, appearing for the respondents.

2. W.P.No.29952 of 2015 is filed challenging the proceedings of the 3rd respondent in SR.No.127/2007, on the ground that the same are in violation of the provisions of Andhra Pradesh Scheduled Areas Land Transfer Regulation, 1959 (Reg.1/59), as amended by Reg.1/70, (for short 'Regulation').

3. It is contended that the petitioner is the owner and possessor of agricultural land admeasuring Ac.13.98 cents in RS. No.189/1, 2 and RS. No.193/1 & 2, Jeelugumilli Village and Mandal, West Godavari District. The said land was purchased under a possessory agreement of sale dated 15.04.1969 from one Smt. Repaka Annapoornamma. The petitioner contends that she has been in continuous possession and occupation of the subject land since the date of purchase. However, the Special Deputy Tahsildar (Tribal Welfare) filed a complaint before the Special Deputy Collector, (Tribal Welfare) K.R. Puram, under Section 3(2)(a) of the Regulation, alleging that the petitioner has been in possession of the scheduled land belonging to the tribal people and sought for eviction of the petitioner. In pursuance thereof, the Special Deputy Collector, (Tribal Welfare) passed an order in S.R.No.51/96 dated 18.09.1997, rejecting the claim of the Special Deputy Tahsildar. The said order of the Special Deputy Collector became final.

4. However, subsequent thereto, the 3rd respondent, contrary to the provisions of the Regulation, initiated an enquiry in 2007 and required the petitioner to appear before him on 10.06.2015. Pursuant to the said notice, the petitioner appeared and submitted the material as sought by him and requested to drop the proceedings. However, no further orders were passed. Challenging the said notice dated 28.05.2015, the petitioner filed the instant Writ Petition No.29952 of 2015. This Court, while admitting the Writ Petition on 15.09.2015, granted stay of all further proceedings in S.R.No.127/2007.

5. W.P.No.26765 of 2025 is filed challenging the order passed in S.R.A.No.36/2025 dated 06-09-2025. The petitioner in W.P.No.26765 of 2025 filed an appeal against the order passed by the Deputy Collector ((TW) in S.R.No.51/1996 dated 18-09-1997 before the Agent to the Government, Project Office, K.R. Puram, Eluru District.

6. The said appeal was dismissed observing that the same was barred by limitation. Having regard to the fact that the appeal was filed after a lapse of 28 years, it was further observed that non-tribals have been in possession and enjoyment of the scheduled lands since 1969. It was further observed that no infirmity had been pointed out from the order passed in S.R.No.51/96 and, pertinently having regard to the delay and latches, the said appeal was dismissed.

7. The learned counsel Sri P.R.K. Amarendra Kumar, appearing for writ petitioner in W.P.No.29952 of 2015 and the unofficial respondent No.5 in W.P.No.26765 of 2025 contends that his client had purchased the subject lands for a valid sale consideration on 15.04.1969 from non-tribal's under a possessory agreement of sale. The Special Deputy Collector, having regard to the provisions of Reg.1/59, as amended by Reg.1/70, observed that a contract of sale would fall within the meaning of "transfer" under Section 2(t) of the APSALT Regulations, 1959. Since the transfer effected prior to the coming into force of Reg.1/70, and in the light of the observations made by the Full Bench in ***Gaddem Narsa Reddy and others Vs. Collector, Adilabad and***

others¹, it was observed that there is no contravention of the provisions of the Reg.1/59 read with Reg.1/70

8. Having regard to the same, and as there being no change in the cause of action, the respondent authorities have resorted to conduct an inquiry and therefore, this Court granted interim suspension in 2015. Placing reliance on the judgment of the Division Bench of the erstwhile composite High Court of Andhra Pradesh in W.P.No.10444 of 1999, wherein the Division Bench has observed that no power of Review is conferred in the cases arising under the provisions of APSALT Regulations, 1959, it is contended by the learned counsel that the order passed in 1996 had become final, and the same cannot be reopened nor the petitioner in W.P.No.26765 of 2025 has any locus to challenge the said order.

9. Having regard to the contentions advanced and in the light of the order passed in S.R.No.51/96, the action of the 3rd respondent in seeking to reopen the proceedings, after a lapse of nearly 20 years, amounts to a review of the order passed by the very same Special Deputy Collector in 1996 and is without jurisdiction. Accordingly, the impugned proceedings challenged in W.P.No.29952 of 2015 are set aside.

10. In view of the foregoing, W.P.No.29952/2015 is allowed and W.P.No.26765/2025 is accordingly dismissed. There shall be no order as to costs.

¹ AIR 1982 AP1

As a sequel, all pending miscellaneous applications shall stand closed.

JUSTICE KIRANMAYEE MANDAVA

Dated: 18-08-2026
MSI/MVK

THE HONOURABLE SMT JUSTICE KIRANMAYEE MANDAVA

WRIT PETITION NOS: 26765/2025 & 29952/2015

Date:18.08.2026

MSI/MVK