

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

**FRIDAY, THE FOURTEENTH DAY OF NOVEMBER,
TWO THOUSAND AND TWENTY FIVE**

:PRESENT:

**THE HONOURABLE SRI JUSTICE GANNAMANENI RAMAKRISHNA PRASAD
WRIT PETITION NO: 26995 OF 2025**

Between:

Nadiminti Chandra Sekhar Reddy, S/o Late N.Thimma Reddy, Aged about 69 years, Puttavaripalli, Valligatla Village, Somala Mandal, Chittoor District.

...Petitioner

AND

1. The State of Andhra Pradesh, Rep. by its Principal Secretary, Energy Department, Secretariat, Velagapudi, Guntur District.
2. The AP Transmission Corporation of Andhra Pradesh, Rep. By its Chairman & Managing Director, AP TRANSCO Nilayam, Gunadala, Vijayawada, NTR District, Andhra Pradesh - 520004.
3. Superintendent Engineer, Chittoor, Chittoor District.
4. The Assistant Engineer, A.P.S.P.D.C.L. Somala Mandal, Somala, Chittoor District.
5. The District Collector, Chittoor District, Chittoor.
6. The Joint Collector, Chittoor District, Chittoor.
7. The Sub-Collector/Revenue Divisional Officer, Palamaner, Chittoor District.
8. The Tahsildhar, Somala, Somala Mandal.
9. The Revenue Inspector, Somala, Somala Mandal, Chittoor District.
10. The Village Revenue Office, Valligatla Village, Somala Mandal, Chittoor District.
11. Nadiminti Sankar Reddy, S/o Late N.Thimma Reddy, Aged about 73 years, Retd. Govt. Teacher, D.No.1-1353-10, Tirupati Road, Opp: Forest Officer, Piler Town & Post - 517214, 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 or order or direction more particularly one in nature of writ of mandamus :-

(a) by directing the Respondent No.4 to install agriculture Electricity Service connection to the Petitioner relating to the bore well for drawing the water in the schedule property viz Chittoor District - Somala Mandal - Valligatla Revenue Village - Puttavaripalli - Sy.No.535/4, an extent of Ac.5.04 Cents Full -Bore Well - Mango Plants wood and fruit bearing trees - Stoned Barbed Fence etc., Full

(b) by setting aside the impugned proceedings vide Roc.C/39/2025, Coconut Plants with other further Dt.23.06.2025 issued by the Respondent No.8 consequently direct the Respondent No.8 to issue certificate of clearance for obtaining electricity service connection for the sub mercible bore well dug by the Petitioner in the schedule property viz., Chittoor District - Somala Mandal Valligatla Revenue Village - Puttavaripalli - Sy.No.535/4, an extent of Ac.5.04 Cents Full -Bore Well - Mango Plants - Coconut Plants with other further wood and fruit bearing trees - Stoned Barbed Fence etc., Full, and to pass such other order or orders as this Hon'ble Court may be deem fit and proper in the circumstances of the case, or otherwise much hardship and loss will be caused to this Writ Petitioner.

(c) by directing Respondent No.8 to 10 not to interfere in the peaceful possession and enjoyment in the Schedule Property viz Chittoor District - Somala Mandal - Valligatla Revenue Village - Puttavaripalli - Sy.No.535/4, an extent of Ac.5.04 Cents Full -Bore Well - Mango Plants - Coconut Plants with other further wood and fruit bearing trees - Stoned Barbed Fence etc., Full.

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 Respondent No.3 and 4 to issue temporary agriculture Electricity Service connection, pending disposal of the present Writ

Petition, viz., in the schedule property Chittoor District - Somala Mandal - Valligatla Revenue Village - Puttavaripalli - Sy.No.535/4, an extent of Ac.5.04 Cents Full -Bore Well - Mango Plants - Coconut Plants with other further wood and fruit bearing trees - Stoned Barbed Fence etc.. Full, Pending disposal of WP 26995 of 2025, on the file of the High Court.

The petition coming on for hearing, upon perusing the Petition and the affidavit filed in support thereof and upon hearing the arguments of Sri Jitendra Kanyalur, Advocate for the Petitioner and of GP FOR ENERGY for Respondent No.1 and of Sri V.V.Satish, Standing Counsel for Respondent No.2 and of Sri K.Ashok, learned Counsel appearing on behalf of Sri K.Venkata Rama Rao, Standing Counsel for Respondent Nos. 3 and 4 and of GP for Revenue for Respondent Nos. 5 to 10 and of Sri M.Chiranjeevi Babu, learned Counsel appearing on behalf of Sri A.Sham Sundar Reddy, learned Counsel for the Respondent No.11, the Court made the following

ORDER:

“Heard Sri Jitendra Kanyalur, learned Counsel for the Writ Petitioner (appearing through video conference); Sri K. Ashok, learned Counsel appearing on behalf of Sri Venkata Rama Rao Kota, learned Standing Counsel for APSPDCL and Sri T. Sanjeeva Rao, learned Assistant Government Pleader for Revenue and Sri M. Chiranjeevi Babu, learned Counsel appearing on behalf of Sri A. Sham Sundar Reddy, learned Counsel for the Unofficial Respondent No.11.

2. Learned Counsel for the Writ Petitioner submits that the Writ Petitioner is the owner of Ac.5.04 cents in Sy.No.535-4 of Valligatla Village, Puttavaripalli in Sy.No.535/4 by way of DKT Patta granted to the Writ Petitioner on 15.07.1987 (Ex.P.1). Learned Counsel for the Writ Petitioner has drawn the attention of this Court to the Complaint filed in a Suit bearing O.S.No.84 of 2017 by Unofficial Respondent No.11 who is the brother of the Writ Petitioner seeking Permanent Injunction for an extent of Ac.2.52 cents in Sy.No.535/4 of Valligatla Village. He would submit that the Application seeking ‘No Objection Certificate’ from the Tahsildar for securing an electricity connection by the Writ Petitioner

has been rejected by the Tahsildar (Respondent No.8) on the ground of pendency of the Suit bearing O.S.No.84 of 2017.

3. Sri M. Chiranjeevi Babu, learned Counsel appears on behalf of Sri A. Sham Sundar Reddy, learned Counsel for the Unofficial Respondent No.11 who is none other than the brother of the Writ Petitioner and he is the Plaintiff in the Suit.

4. It is the submission of the learned Counsel for the Writ Petitioner that the Tahsildar does not have the authority to decline the grant of 'No Objection Certificate' on the ground of mere pendency of the Suit, without there being any interim injunction restraining anybody from enjoying the property. He would also submit that, it is the admitted case of the Plaintiff (Unofficial Respondent No.11 herein) that he is only seeking Permanent Injunction insofar as Ac.2.52 cents out of Ac.5.04 cents in Sy.No.535-4. Even, if this aspect was to be considered, the Writ Petitioner would still have the right in the other half of the land without admitting the fact that the Unofficial Respondent No.11 has any right over such land and that the Writ Petitioner is entitled to have the electricity connection for the purpose of cultivation in the land possessed by him, which is, in any case, subject to the outcome in the pending Suit.

5. Prima-facie, this Court is in agreement that the submission made by the learned Counsel for the Writ Petitioner, which are recorded hereinabove.

6. In this view of the matter, the Tahsildar is directed to issue 'No Objection Certificate' by mentioning that the 'No Objection Certificate' shall be subject to the final outcome in the Suit. Let the 'No Objection Certificate' be issued within two weeks from today. It is indicated that the grant of 'No Objection Certificate' to the Writ Petitioner by the Tahsildar shall be subject to the final outcome in this Writ Petition also.

7. On the request made by the learned Counsel for the Unofficial Respondent No.11, let Counter Affidavit be filed within one week from today.

8. List the matter on 28.11.2025. ”

//TRUE COPY//

SD/-SK MD RAFI
DEPUTY REGISTRAR
SECTION OFFICER

To,

1. The Principal Secretary, Energy Department, State of Andhra Pradesh, Secretariat, Velagapudi, Guntur District.
2. The Chairman & Managing Director, AP Transmission Corporation of Andhra Pradesh, AP TRANSCO Nilayam, Gunadala, Vijayawada, NTR District, Andhra Pradesh - 520004.
3. Superintendent Engineer, Chittoor, Chittoor District.
4. The Assistant Engineer, A.P.S.P.D.C.L. Somala Mandal, Somala, Chittoor District.
5. The District Collector, Chittoor District, Chittoor.
6. The Joint Collector, Chittoor District, Chittoor.
7. The Sub-Collector/Revenue Divisional Officer, Palamaner, Chittoor District.
8. The Tahsildhar, Somala, Somala Mandal.
9. The Revenue Inspector, Somala, Somala Mandal, Chittoor District.
10. The Village Revenue Office, Valligatla Village, Somala Mandal, Chittoor District.
11. Nadiminti Sankar Reddy, S/o Late N.Thimma Reddy, Aged about 73 years, Retd. Govt. Teacher, D.No.1-1353-10, Tirupati Road, Opp: Forest Officer, Piler Town & Post - 517214, Annamayya District.
(Addressee Nos. 1 to 11 by RPAD)
12. One CC to Sri Jitendra Kanyalur, Advocate [OPUC]
13. One CC to Sri Venkata Rama Rao Kota, Standing Counsel [OPUC]
14. One CC to Sri V.V.Satish, Standing Counsel [OPUC]

15. One CC to Sri A. Sham Sundar Reddy, Standing Counsel[OPUC]
16. Two CCs to GP FOR ENERGY, High Court of Andhra Pradesh. [OUT]
17. Two CCs to GP FOR REVENUE, High Court of Andhra Pradesh. [OUT]
18. One spare copy.

PSD

HIGH COURT

GRKP,J

DATE:14/11/2025

NOTE: LIST THE MATTER ON 28.11.2025

ORDER

WP.No.26995 of 2025

DIRECTION

