

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

**FRIDAY, THE THIRD DAY OF OCTOBER
TWO THOUSAND AND TWENTY FIVE**

:PRESENT:

**THE HONOURABLE SRI JUSTICE CHALLA GUNARANJAN
WRIT PETITION NO: 27152 OF 2025**



Between:

Alapati Lakshmana Rao, S/o Alapati Ganiraju, 65 Yrs, R/o D/No. 1-111,
Meraka Veedhi, Kesavaram Village, Mandapeta Mandal, Dr. B R Ambedkar
Konaseema Dist.

...Petitioner

AND

1. The State of Andhra Pradesh, Rep. by its Principal Secretary,
Panchayat Raj and Rural Development Dept., Secretariat Buildings,
Velagapudi, Amaravathi.
2. The Mandal Praja Parishad Development Officer, Mandapeta,
Mandapeta Mandal, Dr.B R Ambedkar Konaseema Dist.
3. The Gram Panchayat, D.Kesavaram Village, Mandapeta Mandal, Dr.B
R Ambedkar Konaseema Dist. Rep by its Secretary.
4. The Tahsildar, Mandapeta Mandal, Mandapeta. Dr.B R Ambedkar
Konaseema Dist.

...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 may be pleased to

a) Issue a Writ of Mandamus or any other appropriate writ, order, or
direction, declaring the actions of Respondent No. 3 in demolishing the
Petitioners property and attempting to dispossess him as illegal, arbitrary, and
unconstitutional.

b) Direct Respondent No. 3 to immediately restore the Petitioners property to its original condition and refrain from any further acts of demolition or dispossession.

c) Restrain Respondent No. 3 from interfering with the Petitioners peaceful possession and enjoyment of the said property.

d) Direct Respondent No. 3 to compensate the Petitioner for the losses suffered due to the illegal demolition and attempted dispossession.

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 may be pleased to direct the respondents not to dispossess the petitioner from his plot No. 112 in y.No.182/3 of Kesavaram Village, Mandapeta Mandal, Dr.BR Ambedkar Konaseema District, Pending disposal of WP 27152 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 SATHI BHANU SATHVIK REDDY Advocate for the Petitioner, and of Government Pleader for Panchayat Raj and Rural Development for respondent No.1, and of Sri Yarraguntla. Koteswara Rao, Standing counsel for respondent Nos.2 and 3, and of GP for Revenue for Respondent No.4, and the Court made the following.

ORDER:

"Learned Government Pleader for Panchayat Raj and Rural Development takes notice for respondent No.1.

Learned Government Pleader for Revenue takes notice for respondent No.4.

Sri Yarraguntla. Koteswara Rao, learned Standing counsel takes notice for respondent Nos.2 and 3 and seeks time to file counter-affidavit.

Petitioner has been issued D-Form Patta dated 25.01.1999 for an extent of Ac.0.05 cents in Sy.No.182/3 of Kesavaram Village, and that he has constructed house in the said property.

The respondent No.3 earlier issued notice dated 17.05.2018, proposing to evict the petitioner and also others who have encroached Government land over and above what has been assigned to them, particularly falling in Plot Nos.1, 48, 49, 69, 83 and 112. The same came to be earlier challenged in W.P.No.22943 of 2018. This Court passed an interim order on 05.07.2018, directing the respondents not to dispossess the petitioners from the subject properties therein. However, the said writ petition came to be dismissed as infructuous by an order dated 12.04.2023. It is now sated that the respondent No.3 has already demolished part of the structures belonging to the petitioner i.e., cattle shed and that the petitioner is now dispossessed even.

Learned Standing counsel for the respondent No.3 has placed on record the written instructions dated 30.09.2025, inter-alia, stating that the petitioner has encroached about Ac.0.03 cents of Government land over and above what has been assigned to him, falling on the western side of his plot and made a cattle shed. After issuing notice dated 17.05.2018 and after disposal of the writ petition as infructuous, steps were taken only to remove the cattle shed falling under the encroachment. He also stated that the original assigned extent of Ac.0.05 cents has not been disturbed.

In view of the same, respondents are directed not to dispossess the petitioner to the extent of the assignment made in his favour over Ac.0.05 cents in Sy.No.182/3, falling in Plot No.112, pending further orders.

Let counter be filed within four (04) weeks and reply if any, be filed within two (02) weeks thereafter.

List the matter after eight (08) weeks.”

SD/- G.HELANAIDU
ASSISTANT REGISTRAR

//TRUE COPY//

SECTION OFFICER

For

To,

1. The Principal Secretary, Panchayat Raj and Rural Development Dept., State of Andhra Pradesh, Secretariat Buildings, Velagapudi, Amaravathi.
2. The Mandal Praja Parishad Development Officer, Mandapeta, Mandapeta Mandal, Dr.B R Ambedkar Konaseema Dist.
3. The Secretary, Gram Panchayat, D.Kesavaram Village, Mandapeta Mandal, Dr.B R Ambedkar Konaseema Dist.
4. The Tahsildar, Mandapeta Mandal, Mandapeta, Dr.B R Ambedkar Konaseema Dist. **(Addressees 1 to 4 by RPAD)**
5. One CC to SRI. SATHI BHANU SATHVIK REDDY, Advocate [OPUC]
6. Two CCs to Government Pleader for Panchayat Raj and Rural Development, High Court of Andhra Pradesh. [OUT]
7. Two CCs to GP for Revenue, High Court of Andhra Pradesh. [OUT]
8. One CC to Sri Yarraguntla. Koteswara Rao, Standing counsel, High Court of Andhra Pradesh.
9. One spare copy

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HIGH COURT

CGR,J

DATED:03/10/2025

LIST THE MATTER AFTER EIGHT (08) WEEKS

ORDER

WP.No.27152 of 2025

DIRECTION

