



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

[3330]

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

**PRESENT
THE HONOURABLE SRI JUSTICE TARLADA RAJASEKHAR RAO**

WRIT PETITION NO: 28638/2025

Between:

1.N.MYMOON, W/O. N.KHASIM, AGED ABOUT 60 YEARS,
OCC.HOUSE WIFE, R/O. AT GURAVARAJUPALLE,
RENIGUNTA MANDAL, TIRUPATI DISTRICT ERSTWHILE
CHITTOOR DISTRICT, ANDHRA PRADESH.

...PETITIONER

AND

- 1.THE STATE OF ANDHRA PRADESH, REP BY ITS PRINCIPAL
SECRETARY, DEPARTMENT OF REVENUE (LANDS),
SECRETARIAT BUILDING, VELAGAPUDI, AMARAVATHI,
ANDHRA PRADESH.
- 2.THE DISTRICT COLLECTOR, TIRUPATI DISTRICT
ERSTWHILE CHITTOOR DISTRICT, ANDHRA PRADESH.
- 3.THE REVENUE DIVISIONAL OFFICER, TIRUPATI DIVISION,
TIRUPATI DISTRICT, ERSTWHILE CHITTOOR DISTRICT,
ANDHRA PRADESH.
- 4.THE TAHSILDAR, RENIGUNTA MANDAL, TIRUPATI
DISTRICT, ERSTWHILE CHITTOOR DISTRICT, ANDHRA
PRADESH.

...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 a writ, order or direction more particularly one in the nature of Writ of mandamus declaring the acts of respondent No.2 to 4 in issuance of the above said notice dt 10-09-2025 and 03-10-2025 to the petitioner as illegal, arbitrary and violative of Articles 14, 16 and 21 and 300A of Constitution of India and also direct the respondents not to proceed further based on the above said notice dt. 10-09-2025 and 03-10-2025 and also direct the respondents not to threaten and dispossess from the petitioner from the above subject property land to an extent of Ac 0-02 Cents in Sy.No. 45/2 of Guravarajupalle Village, Renigunta Mandal, Tirupati District and pass

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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 to direct the respondents not to proceed further based on the above said notice dt.10-09-2025 & 03-10-2025, pending disposal of Writ Petition, and pass

Counsel for the Petitioner:

1.RAYALCHERUVU ABISHEK REDDY

Counsel for the Respondent(S):

1.GP FOR REVENUE

The Court made the following:

THE HONOURABLE SRI JUSTICE TARLADA RAJASEKHAR RAO**WRIT PETITION NO. 28638 of 2025****ORDER:**

The present Writ Petition is filed under Article 226 of the Constitution of India seeking the following relief:

“...to issue a writ, order or direction more particularly one in the nature of writ of mandamus declaring the action of the respondents 2 to 4 in issuance of the notices dt. 10.09.2025 and 03.10.2025 to the petitioner as illegal, arbitrary and violative of Articles 14, 16 and 21 and 300A of Constitution of India and also direct the respondents not to proceed further based on the above said notice dt. 10.09.2025 and 03.10.2025 and also direct the respondents not to threaten and dispossess the petitioner from the above subject property land to an extent of Ac.0.02 Cents in Sy.No.45/2 of Guravarajupalle Village, Renigunta Mandal, Tirupati District and to pass such other order or orders as this Hon'ble Court may deems fit in the circumstances of the case.”

2. The 4th respondent/Tahsildar issued notice dated 10.09.2025 under Section 7 of the Andhra Pradesh Land Encroachment Act (for short, 'the Act'.) directing the petitioner herein to submit explanation as to why she would not be evicted from the subject land in Survey No.45/2 in an extent of Ac.0.02 cents as the said land is encroached by the petitioner herein.

3. The learned counsel for the petitioner would submit that DKT Patta was granted in favour of the petitioner herein on 10.02.2012 and since then the petitioner herein is in possession and enjoyment of the subject property by paying house tax to the concerned authorities. Learned counsel would further submit that no objection certificate was issued by the Panchayat Secretary for the aforesaid land. Therefore,

prayed to set aside the impugned notice, dated 10.09.2025 and the notice dated 03.10.2025 issued under Section 6 of the Act 3 of 1905.

4. The learned Assistant Government Pleader would submit that the petitioner herein has not submitted any explanation to the notice, dated 10.09.2025, as such, the respondent authorities be rightly issued notice dated 03.10.2025 under Section 6 of the Act 3 of 1905, hence, the petitioner is not entitled for any relief.

5. The learned counsel for the petitioner has made his case stating that the petitioner is in possession of the subject property, this Court, without going into merits of the case and at the admission stage, is inclined to dispose of the writ petition directing the petitioner to submit explanation to the notices dated 10.09.2025 and 03.10.2025 within a period of three weeks from the date of receipt of a copy of this order and on receipt of such explanation, the 4th respondent/Tahsildar is hereby directed to examine the same and pass appropriate orders in accordance with law. Till such time, the respondents are directed not to take any coercive steps against the petitioner.

6. With the above observations, the Writ Petition is disposed of. There shall be no order as to costs. As a sequel thereto, Interlocutory Applications pending, if any, shall stand closed.

JUSTICE TARLADA RAJASEKHAR RAO

Date : 23.10.2025
SPP

THE HON'BLE SRI JUSTICE TARLADA RAJASEKHAR RAO

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Date : 23.10.2025

SPP