



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

[3233]

**TUESDAY, THE NINTH DAY OF DECEMBER
TWO THOUSAND AND TWENTY FIVE**

PRESENT

THE HONOURABLE SRI JUSTICE B KRISHNA MOHAN

WRIT PETITION NO: 33911/2022

Between:

1. SUDULAGUNTA RAJYA LAKSHMI,, W/O SRIDHAR, AGED ABOUT 40 YEARS, R/O VAVINTAPARTHI VILLAGE, PODALAKUR MANDAL, SPSR NELLORE DISTRICT.

...PETITIONER

AND

1. THE STATE OF ANDHRA PRADESH, REP. BY ITS PRINCIPAL SECRETARY. REVENUE DEPARTMENT, SECRETARIAT, SECRETARIAT BUILDING, VELAGAPUDI, GUNTUR DISTRICT.
2. THE DISTRICT COLLECTOR, SPSR NELLORE DISTRICT.
3. THE REVENUE DIVISIONAL OFFICER, NELLORE DIVISION, SPSR NELLORE DISTRICT.
4. THE TAHSILDAR, PODALAKUR MANDAL, SPSR NELLORE 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 topleased 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 to 4 in interfering into the peaceful possession of the agriculture land of the petitioner in respect of the land in Sy.No.178/1 to an extent of Ac.1.00 cents situated at Vavintaparathi Village, Podalakur Mandal, SPSR Nellore District, trying to dispossess the petitioner for the above agriculture land, without issuing any notice to the petitioner without following the due process of law, is highly illegally, arbitrary, unconstitutional, violation of principles of natural justice and also in violation of Articles 14 and 300-A of the Constitution of India and consequently direct the respondent Nos. 2 to 4 not to interfere into

the peaceful possession of the agriculture land of the petitioner in respect of the land in Sy.No.178/1 to an extent of Ac.1.00 cents situated at Vavintaparthi Village, Podalakur Mandal, SPSR Nellore District, not to dispossess the petitioner for the above agriculture land forthwith and to pass

IA NO: 1 OF 2022

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 respondent Nos. 2 to 4 not to interfere into the peaceful possession of the agriculture land of the petitioner in respect of the land in Sy.No.178/1 to an extent of Ac.1.00 cents situated at Vavintaparthi Village, Podalakur Mandal, SPSR Nellore District, not to dispossess the petitioner for the above agriculture land forthwith pending disposal of the writ petition and pass

IA NO: 2 OF 2022

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 vacate the interim order dated 18.10.2022 in I.A.No.1 of 2022 in W.P.No, 33911 of 2022 and also dismiss the writ petition and pass

Counsel for the Petitioner:

1.AKKEM SRIHARIVIRAT

Counsel for the Respondent(S):

1.GP FOR REVENUE

The Court made the following ORDER:

Heard the learned counsel for the petitioner, the learned Assistant Government Pleader for Revenue appearing for the respondents.

2. This writ petition is filed questioning the action of the respondent Nos.2 to 4 in interfering into the peaceful possession of the agricultural land of the petitioner in respect of the land in Sy.No.178-1 to an extent of Ac.1.00 cents situated at Vavintaparathi Village, Podalakur Mandal, SPSR Nellore District, trying to dispossess the petitioner from the above agriculture land, without issuing any notice to the petitioner without following the due process of law.

3. On the other hand, the Assistant Government Pleader relying upon the counter affidavit of the 4th respondent submits that the subject land to an extent of Ac.1.00 cents in Sy.No.178-1 of Vavintaparathi Village, Podalakur Mandal has not been cultivated by the petitioner at that point of time. An extent of Ac.12.44 cents in Sy.No.178 of Vavintaparti Village is classified as dotted land as per RSR of the said village. The petitioner filed a representation before the 2nd respondent through Spandana stating that an extent of Ac.1.00 cents in Sy.No.178-1 of Vavintaparathi Village, is in possession and enjoyment, but some of the villagers are trying to evict her and requested to do justice. On the representation filed by the petitioner, the matter was enquired into by inspecting the subject land.

4. The said land is purely classified as dotted land as per the records. Nobody filed any application under the Andhra Pradesh Dotted Lands

(Updation in Re-settlement Register) Act, 2017, on the ground that the land is in possession and enjoyment of the following persons:

Sl. No.	Sy. No.	Full extent	Name of the Encroacher	Extent under Encroachment	Nature of the Encroachment
1	178-1	11.68	Sri Chinnam Sankaraiah S/o. Venkatappanaidu	2.40	Lemon Garden
2			Sri Marupuru Venkataratnam S/o. Venkataiah	0.70	Vacant on ground
3			Sri Mavillapalli Sankaraiah S/o Venkata Subbaiah (father of Writ petitioner)	4.00	Lemon Garden
4			Sri marupuru Jayaramaiah S/o.Subbaiah	0.34	Vacant on ground
5			Sri Yarram Sujatha W/o.Brahman	0.72	Vacant on ground
6			Sri Sheik Khaja Ramthulla S/o. Khasim Saheb	0.44	Vacant on ground
7			Sri Sheik Hussian S/o.Khasim Saheb	0.11	Vacant on ground
8			Sri Nallagatla Chinnayya S/o. Venkataiah	0.57	Vacant on ground
9			Telugu Ganga Canal and Road	2.40	
				11.68	

5. The petitioner has not enjoyed the land in Sy.No.178-1 of Vavintaparathi Village. Therefore, the petitioner is informed through an endorsement dated 03.11.2022. There is no practice to issue possession certificate to the agricultural land. There is a practice to issue possession certificate for house site only. Moreover, the VRO is not competent to issue possession certificate for agricultural land. The Tahsildar is the competent authority to issue possession certificate for house site only. Since the subject land is classified as dotted land as per the records and hence it is not vested with the Gram Panchayat. The Government did not grant any pattadar passbooks to the petitioner and no patta was granted to anybody in Sy.No.178-1 of Vavintaparti Village. The petitioner has not applied for regularization of the

land under the Andhra Pradesh Dotted Lands (Updation in Re-settlement Register) Act, 2017.

6. The above said persons in the above said extents as shown in the table are only the encroachers, but none of them filed any application under the Andhra Pradesh Dotted Lands (Updation in Re-settlement Register) Act, 2017.

7. In view of the above said facts and circumstances, no relief can be granted in this Writ Petition. However, the petitioner is permitted to make an application to the authorities concerned under the Andhra Pradesh Dotted Lands (Updation in Re-settlement Register) Act, 2017, following the due procedure enclosing all the necessary documents in support of her claim, if so warranted and if so advised.

8. Accordingly, the Writ Petition is disposed of. Interim order, if any, deemed to have been vacated. There shall be no order as to costs.

As a sequel, Interlocutory Applications pending, if any, shall stand closed.

JUSTICE B KRISHNA MOHAN

09.12.2025
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THE HON'BLE SRI JUSTICE B. KRISHNA MOHAN

W.P.No.33911 of 2022

Date: 09.12.2025

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