



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

[3396]

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

PRESENT

THE HONOURABLE DR JUSTICE VENKATA JYOTHIRMAI PRATAPA

WRIT PETITION NO: 30893/2023

Between:

1. PAKALAPATI RAMAMOHANA RAO, S/O. LATE VEERA VENKAIAH, AGED 73 YEARS, OCC CULTIVATION, R/O. D.NO. 1-161, VENKATAKRISHNAPURAM VILLAGE, DWARAKA TIRUMALA MANDAL, ELURU DISTRICT. (FORMERLY WEST GODAVARI DISTRICT).

...PETITIONER

AND

1. THE STATE OF ANDHRA PRADESH, REP. BY ITS PRINCIPAL SECRETARY TO GOVERNMENT, HOME DEPARTMENT, SECRETARIAT, VELAGAPUDI, AMARAVATI, GUNTUR DISTRICT.
2. THE SUPERINTENDENT OF POLICE, ELURU DISTRICT AT ELURU (FORMERLY WEST GODAVARI DISTRICT).
3. THE DEPUTY SUPERINTENDENT OF POLICE, ELURU, ELURU DISTRICT (FORMERLY WEST GODAVARI DISTRICT).
4. THE INSPECTOR OF POLICE, BHIMADOLE CIRCLE POLICE STATION, BHIMADOLE, ELURU DISTRICT (FORMERLY WEST GODAVARI DISTRICT).
5. THE STATION HOUSE OFFICER, DWARAKA TIRUMALA POLICE STATION, ELURU DISTRICT (FORMERLY WEST GODAVARI DISTRICT).
6. THE TAHSILDAR, DWARAKA TIRUMALA MANDAL, ELURU DISTRICT (FORMERLY WEST GODAVARI 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 respondents, particularly respondents 5 and 6 in interfering with his possession and enjoyment of the petitioner agricultural land of Ac.17.94 Cents, covered by Survey Nos. 107 and 108/2, situated in Gundugolanukunta Village of Dwaraka Tirumala Mandal in Eluru District (formerly West Godavari District) and insisting to deliver the petitioner land to an extent of Ac.8.60 Cents out of the petitioner land of Ac. 17.94 Cents in favour of third parties, during pendency of Civil Suit in O.S.No.174 of 2023 filed by him and his family members on the file of court of learned Junior Civil Judge, Bhimadole, as illegal, irregular, irrational and violative of Articles 14, 21 and 300-A of Constitution of India and consequently direct the respondents particularly respondents 5 and 6 not to interfere in any manner with his possession over the said property nor insist him to appear before 5th respondent police station and pass

IA NO: 1 OF 2023

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 leased to direct the respondents particularly respondents 5 and 6 not to interfere in any manner with his possession and enjoyment over the petitioner agricultural land of Ac. 17.94 Cents, covered by Survey Nos. 107 and 108/2, situated in Gundugolanukunta Village of Dwaraka Tirumala Mandal in th Eluru District (formerly West Godavari District) nor insist him to appear before 5 respondent police station, pending disposal of main Writ Petition and pass

Counsel for the Petitioner:

1.NIMMAGADDA REVATHI

Counsel for the Respondent(S):

1.GP FOR HOME

2.GP FOR REVENUE

The Court made the following:

THE HONOURABLE DR JUSTICE VENKATA JYOTHIRMAI PRATAPA

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ORDER:

This Writ Petition is filed under Article 226 of Constitution of India with the following prayer for:

“...pleased to issue a writ, order or direction more particularly one in the nature of WRIT OF MANDAMUS declaring the action of respondents, particularly respondents 5 and 6 in interfering with his possession and enjoyment of the petitioner agricultural land of Ac.17.94 Cents, covered by Survey Nos. 107 and 108/2, situated in Gundugolanukunta Village of Dwaraka Tirumala Mandal in Eluru District (formerly West Godavari District) and insisting to deliver the petitioner land to an extent of Ac.8.60 Cents out of the petitioner land of Ac. 17.94 Cents in favour of third parties, during pendency of Civil Suit in O.S.No.174 of 2023 filed by him and his family members on the file of court of learned Junior Civil Judge, Bhimadole, as illegal, irregular, irrational and violative of Articles 14, 21 and 300-A of Constitution of India and consequently direct the respondents particularly respondents 5 and 6 not to interfere in any manner with his possession over the said property nor insist him to appear before 5th respondent police station and pass....”

2. Heard Smt. Nimmagadda Revathi, learned counsel for the petitioners and Sri V. Farook, learned Assistant Government Pleader for Home for the respondents.

3. Learned counsel for the petitioner would submit that the police are interfering with the civil disputes in between the petitioner's family. Learned counsel would further submit that a direction may be given to the police.

4. Learned Assistant Government Pleader for Home, on written instructions would submit that respondent No.5 has submitted a report dated 14.10.2023 to the Mandal Executive Magistrate, Dwaraka Tirumala, Eluru

District to initiate Section 145 Cr.P.C proceedings regarding the title disputes in between the petitioner's family members. Except submission of a report to the Mandal Executive Magistrate, the police are never interefered with the subject lands of the petitioner.

5. Learned counsel for the petitioner would submit that recording the same, the petition may be disposed of.

6. Recording the above said submissions, the Writ Petition is disposed of. However, the police are directed not to interfere in the civil disputes in between the petitioner's family. There shall be no order as to costs.

As a sequel thereto, miscellaneous petitions pending, if any, shall stand closed.

Dr. JUSTICE VENKATA JYOTHIRMAI PRATAPA

Date: 09.12.2025.
TVN

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HON'BLE DR. JUSTICE VENKATA JYOTHIRMAI PRATAPA

W.P.No.30893 of 2023

Dated.09.12.2025

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