



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

[3333]

WEDNESDAY, THE 29th DAY OF JULY 2026

PRESENT

THE HONOURABLE SMT JUSTICE V.SUJATHA

WRIT PETITION NO: 28601/2018

Between:

- 1.SMT.DADI HYMAVATHI, W/O. LATE CHINNA RAO, AGED ABOUT 56 YEARS, OCC. HOUSEWIFE, R/O. D.NO.18-22-23, CHANDRA NAGAR, GOPALAPATNAM, VISAKHAPATNAM.

...PETITIONER

AND

- 1.THE STATE OF ANDHRA PRADESH, REP. BY ITS PRINCIPAL SECRETARY, REVENUE DEPARTMENT, SECRETARIAT, VELAGAPUDI, AMRAVATHI, GUNTUR DISTRICT.
- 2.THE DISTRICT COLLECTOR, VISAKHAPATNAM.
- 3.THE SPECIAL DEPUTY COLLECTOR AND COMPETENT AUTHORITY, (LAND ACQUISITION), NATIONAL HIGHWAY-16, VISAKHAPATNAM, VISAKHAPATNAM DISTRICT.
- 4.ADABALA SRI VENKATESWARA RAO, S/O SATYANARAYANA MURTHY, AGED ABOUT 58 YEARS, R/O 3-168/3, TURPUPALEM, MALKIPURAM MANDAL, EAST GODAVARI DISTRICT, ANDHRA PRADESH-533244. R4 IS IMPEADED AS PER THE COURT'S ORDER DT.18.07.2025 IN I.A.NO.03 OF 2023.

...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 toto issue a Writ Order or direction particularly one in the nature of Writ of Mandamus declaring the action of the respondents in not considering the representation of the petitioner dated 23.04.2018 raising objections to the

land acquisition proceedings in respect of her lands in Sy.Nos.54 situated at Narava Village, Pendurthi Mandal, Visakhapatnam District, pursuant to the notification in Rc.No.114/2016/SA, dated 30.10.2017, as illegal, arbitrary and violative of principles of natural justice and also Articles 14 and 300-A of the Constitution of India and consequently direct the respondents consider the representation of the petitioner dated 23.04.2018 and pay the compensation to her for acquiring her lands in Sy.Nos.54, situated at Narava Village, Pendurthi Mandal, Visakhapatnam District and to pass

IA NO: 1 OF 2018

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 disburse the compensation amount in respect of lands of the petitioner in Sy.Nos.54, situated at Narava Village, Pendurthi Mandal, Visakhapatnam District, till the objections of the petitioner are considered, pending disposal of the Writ Petition pending disposal of the above writ petition and to 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 to permit the petitioners to be Impleaded as Parties/ Respondents No.4 to 9 to the main Writ Petition No.28601 of 2018 and pending miscellaneous petitions therein in the interest of justice and pass

IA NO: 2 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 to vacate the Interim Order 20.08.2018 in 1.A.No. 1 of 2018 in WP No. 28601 of 2018 and pass

IA NO: 3 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 to implead the proposed respondent as party respondent No.4 in WP No. 28601 of 2018 and to pass

IA NO: 1 OF 2025

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 may be pleased to vacate the interim orders dated.20.08.2018 in IA No.1 of 2018 in WP No.28601 of 2018 and dismiss the Writ Petition and pass

IA NO: 1 OF 2026

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 may be pleased to vacate the interim order dated. 20-08-2018 passed in I.A.No. 1 of 2018 and pass

Counsel for the Petitioner:

1.M SRIKANTH

Counsel for the Respondent(S):

1.GP FOR LAND ACQUISITION (AP)

2.R V KOTESWARA PRASAD

The Court made the following:

THE HONOURABLE SMT JUSTICE V.SUJATHA**WRIT PETITION NO: 28601/2018****ORDER:**

The present writ petition has been filed under Article 226 of the Constitution of India, seeking the following relief:

“...to issue a Writ Order or direction particularly one in the nature of Writ of Mandamus declaring the action of the respondents in not considering the representation of the petitioner dated 23.04.2018 raising objections to the land acquisition proceedings in respect of her lands in Sy.Nos.54 situated at Narava Village, Pendurthi Mandal, Visakhapatnam District, and to pass such other order or orders...”

2. The case of the petitioner, in brief, is that:

(a) The petitioner asserts that her late husband purchased agricultural lands admeasuring Ac.30-00 cents in Sy.Nos.54 of Narava Village, Pendurthi Mandal, Visakhapatnam District under various sale deeds from various vendors in his name and thereafter, he has been in possession and enjoyment of the said lands. Thereafter, her husband died and before his death, formed a layout and converted the said agricultural lands into house plots after obtaining necessary permissions, sold some plots to third parties, and retained the remaining plots situated adjacent to the proposed Raiwada Canal. The petitioner has been in peaceful possession and enjoyment of those retained plots. On 14.11.2017, the third respondent issued a notification proposing to acquire lands in Sy.No. 54 for widening the existing road from Sabbavaram to Sheela Nagar Junction into a six-lane road. However, instead of mentioning the petitioner and her husband as the owners, the notification

wrongly showed the names of their vendors and some other third parties. The acquisition also included lands covered by the petitioner's registered sale deed dated 29.03.2005 (Document No. 1688/2005) and other registered sale deeds.

(b) The petitioner further states that immediately approached the third respondent with the original title documents to establish her ownership and requested deletion of the names of the vendors and other third parties so that compensation could be paid to her. As no action was taken, she issued a legal notice dated 12.12.2017, but the respondents failed to respond or rectify the records. Thereafter, the petitioner submitted a representation dated 23.04.2018, objecting to the proposed payment of compensation to persons who had no subsisting rights over the land and requesting that the compensation be paid to her. Despite producing the original title documents, the respondents did not take any action and continued with the proposal to pay compensation to the vendors. Hence, the petitioner filed the above writ petition.

3. When the writ petition was came up for admission on 20.08.2018, this Court passed the following interim order:

“...There shall be interim direction as prayed for.”

4. A counter-affidavit has been filed on behalf of the third respondent. While referring to the factual aspects, it is specifically stated that, in accordance with the provisions of the National Highways Act, 1956, whenever

there is a dispute regarding title to the acquired land or the compensation amount remains unclaimed or cannot be disbursed due to rival claims, the Competent Authority is required to refer the matter to the Principal Civil Court of original jurisdiction under sub-section (4) of Section 3H of the National Highways Act, 1956. Since the subject land situated at Narava Village, Pendurthi Mandal falls within the territorial jurisdiction of the Court of the Principal Senior Civil Judge, Visakhapatnam, the compensation amount has been deposited before the said Court.

5. Today, when the matter is taken up for hearing, the learned Assistant Government Pleader for Land Acquisition has submitted that the awarded compensation amount relating to the acquired land in Sy.No.54 situated at Narava Village, Pendurthi Mandal, Visakhapatnam District has been deposited before the before the Hon'ble Principal Senior Civil Judge, Visakhapatnam under sub-section 4 of Section 3-H of National Highways Act, 1956 (for short, 'the NH Act'.

6. The above submissions make it clear that the competent authority has already referred the dispute regarding entitlement between the petitioner and the unofficial respondents regarding compensation to the Principal Senior Civil Judge, Visakhapatnam, by depositing the awarded amount in terms of Section 3H(4) of the National Highways Act, 1956.

7. In view of the above development, no further orders are required in the present writ petition. It is open to the petitioner as well as the unofficial

respondents to appear before the Principal Senior Civil Judge, Visakhapatnam and establish their respective rights and entitlement over the acquired land. Upon adjudication of the rival claims, the learned Principal Senior Civil Judge shall disburse the compensation to the parties in accordance with their entitlement and in accordance with law.

8. Accordingly, the Writ Petition is disposed of. There shall be no order as to costs.

Miscellaneous petitions pending, if any, in this case shall stand closed.

JUSTICE V.SUJATHA

Date: 29.07.2026

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THE HONOURABLE SMT JUSTICE V.SUJATHA

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