

APHC010604532018



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

[3459]

WEDNESDAY, THE ELEVENTH DAY OF FEBRUARY
TWO THOUSAND AND TWENTY SIX

 **PRESENT**

THE HON'BLE SMT. JUSTICE SUMATHI JAGADAM

WRIT PETITION No.29005 OF 2018

Between:

K. Rama Devi and 4 others. --- Petitioners
and

The State of Andhra Pradesh,
Rep. by its Principal Secretary,
Revenue, Secretariat at Velagapudi,
Amaravathi, Guntur District and
5 others. --- Respondents

Counsel for the petitioners : Sri I. Gopal Reddy

Counsel for the respondents : G.P. for Revenue

The Court made the following

ORDER:

This Writ Petition, under Article 226 of the Constitution of India, is filed by the petitioners, seeking the following relief:

“to issue a Writ, Order or Direction, more particularly in the nature of Mandamus, declaring the action of the Respondents in starting the construction of Vermi Compost Centre in the house sites assigned to the Petitioners in S.No.160/1B, 2, 3 and 4 of Kondamudusupalem Village, Kandukur Mandal, Prakasam District without following due process of law as illegal, arbitrary, highhanded, violation of principles of natural justice in violation Article 300-A of Constitution of India and consequently direct the Respondents to issue possession certificates to the petitioners in accordance with law so as to enable the Petitioners to construct houses for their residence and to pass

2. The Mandal Revenue Officer, Kandukur, allotted house sites to the petitioners through proceedings in RC.A/921/85, dated 30.06.1986. The petitioners alleged that due to non-issuance of ‘*possession certificates*’, they could not construct houses and the authorities are now constructing a Vermi Compost Centre in their land.

3. On 16.08.2018, when the matter has come up for admission, this Court granted *interim* order by making it clear that any construction made in the land, said to have been allotted or

assigned to the petitioners, shall be subject to the orders passed in the Writ Petition.

4. Heard learned counsel for the petitioners and learned Assistant Government Pleader for Revenue.

5. Learned Assistant Government Pleader, on written instructions of the 4th respondent *vide* proceedings in Rc.No.D/135/2018, dated 03.02.2025, submits that the subject land for construction of Vermi Compost Centre was in S.No.161 to an extent of Ac.0.10 cents but not in the lands of the petitioners situated in S.No.160/1B, 2, 3 & 4 of Kondamudusupalem Village, Kandukur Mandal. Moreover, since the possession certificates were not issued to the petitioners, this Court on 16.08.2018 has passed the following *interim* order:

“It is made clear that any construction made in the land said to have been allotted or assigned to the petitioner shall be subject to orders passed in the Writ Petition”.

Thereafter, the petitioners made a representation to the second respondent on 30.07.2018 and the same was forwarded to the fourth respondent.

6. In view of the above, this Court feels it appropriate to dispose of the Writ Petition by directing the petitioners to make a fresh representation to the second respondent, by enclosing the aforesaid proceedings of the 4th respondent, dated 03.02.2025, along with grant of house sites list and also the endorsement which was

obtained under the RTI Act, dated 02.08.2018, within two (2) weeks from the date of receipt of a copy of this order. Thereafter, the respondent authorities shall consider the request made by the petitioners by giving a reasonable opportunity of hearing to them and pass appropriate orders within four (4) weeks thereafter.

7. Accordingly, with the above direction, the Writ Petition is disposed of. No order as to costs.

Consequently, Miscellaneous Applications pending, if any, shall stand closed.

JUSTICE SUMATHI JAGADAM

Date:11.02.2026
DSH