

APHC010621812025



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

[3332]

WEDNESDAY, THE TENTH DAY OF DECEMBER
TWO THOUSAND AND TWENTY FIVE

PRESENT

THE HONOURABLE SRI JUSTICE RAVI CHEEMALAPATI

WRIT PETITION NO: 32452/2025

Between:

1. GANDAVARAM YASHODAMMA, W/O. SUBRAHMANYAM AGE ABOUT 60 YEARS, R/O. PALLIPALEM, NELLIPUDI VILLAGE VAKADU MANDAL, TIRUPATHI DISTRICT

...PETITIONER

AND

1. THE STATE OF AP, REP BY ITS PRINCIPAL SECRETARY PANCHAYAT RAJ AND RURAL DEVELOPMENT DEPARTMENT SECRETARIAT, VELAGAPUDI, GUNTUR DISTRICT

2. THE DISTRICT COLLECTOR, TIRUPATHI DISTRICT AT TIRUPATHI

3. THE TAHSILDAR, VAKADU MANDAL VAKADU, TIRUPATHI DISTRICT.

4. THE DEPUTY TAHSILDAR, VAKADU MANDAL VAKADU, TIRUPATHI DISTRICT.

5. THE MANDAL PARISHAD DEVELOPMENT OFFICER VAKADU, VAKADU MANDAL, TIRUPATHI DISTRICT.

6. THE NELLIPUDI GRAM PANCHAYAT, NELLIPUDI, VAKADU MANDAL, TIRUPATHI DISTRICT REPRESENTED BY ITS SECRETARY.

7. KAPULURI HARIKRISHNA, S/O. EDUKONDALU AGE 35 YEARS, NELLIPUDI VILLAGE VAKADU MANDAL, TIRUPATHI 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 to issue Writ, order or direction particularly one in the nature of Writ of MANDAMUS, declaring the Provisional Notice - on Encroachments, issued by the 6th respondent vide File No. 01/2025 dated 25.08.2025 and the arbitrary actions of the respondents in threatening to dispossess me from my land in Plot No. 51 in L.P.M. No. 913, Sy. No. 56-1 of Nellipudi Village, Vakadu Mandal, Tirupathi District, along with the land situated on the southern side thereof, in which shed along with dung heap and haystack is in existence, without following due process of law and illegal, highhanded, malafidy, arbitrary, contrary to law and against to the principles of natural justice apart from being violative of Articles 14, 21 and 300A of the Constitution of India and consequentially set aside the Provisional Notice - on Encroachments vide File No. 01/2025 dated 25.08.2025, issued by the 6th respondent and direct the respondents 3 to 6 not to dispossess the petitioner from her land direct the respondents in the interest of justice and 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 to direct the respondents 3 to 6 not to dispossess the petitioner from her house site in Plot No. 51 situated in Sy. No. 56-1 of Nellipudi Village, Vakadu Mandal, Tirupathi District, along with the land situated on the southern side thereof, in which shed along with dung heap and haystack is in existence, pending disposal of the above writ petition and pass

Counsel for the Petitioner:

1.KAMBHAMPATI RAMESH BABU

Counsel for the Respondent(S):

1.GP FOR PANCHAYAT RAJ RURAL DEV

2.GP FOR REVENUE

3.Mattegunta.Sudhir, Standing Counsel For Z.P.Ps, M.P.Ps, Gram Panchayats

The Court made the following:

ORDER

The grievance of the petitioner is that the respondent authorities, without following due process of law, are threatening to dispossess her from her land in Plot No.51 in L.P.M.No.913 in Survey No.56-1 of Nellipudi Village, Vakadu Mandal, Tirupathi District along with the land situated on the southern side thereon, wherein shed along with dung heap and haystack is in existence under the guise of provisional notice dated 25.08.2025 vide File No.01/2025.

2. Heard Sri Khambhampati Ramesh Babu, learned counsel for the petitioner, and the learned Standing Counsel.

3. Sri Kambhampati Ramesh Babu, learned counsel for petitioner, while reiterating the contents of the writ affidavit, would contend that to the provisional notice issued by respondent no.6 vide File No.01/2025, dated 25.08.2025, the petitioner had submitted explanation, but the authorities without considering the explanation and without passing any orders, are threatening to dispossess her from the subject property under the guise of provisional notice. He would further submit that it would suffice for the time being if the authorities are directed to pass orders taking into consideration the explanation submitted by the petitioner and to the said extent the relief sought in this writ petition is restricted. Accordingly, prayed to pass appropriate orders.

4. In reply, the learned Standing Counsel submitted that to the provisional notice, the petitioner submitted explanation and the authorities would pass orders on the said explanation, before taking any further action on the subject property.

5. In view of the submissions made by both the learned counsel, since the restricted relief sought is innocuous, this writ petition can be disposed of at the admission stage itself.

6. Accordingly, the writ petition is disposed of, directing the authorities not to take any coercive steps on the subject property, until orders are passed on the petitioner's explanation by providing an opportunity of being heard to her. There shall be no order as to costs.

Pending miscellaneous petitions, if any, shall stand closed.

DATED 10TH DAY OF DECEMBER, 2025

JUSTICE RAVI CHEEMALAPATI
RR