

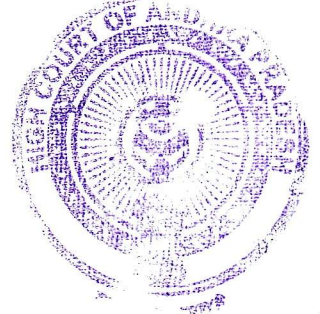
**IN THE HIGH COURT OF ANDHRA PRADESH AT AMARAVATI
(SPECIAL ORIGINAL JURISDICTION)**

**THURSDAY, THE SIXTEENTH DAY OF OCTOBER
TWO THOUSAND AND TWENTY FIVE**

:PRESENT:

HONOURABLE SMT JUSTICE SUMATHI JAGADAM

WRIT PETITION NO: 9255 OF 2016



Between:

Kota Venkata Subrahmanyam, S/o Subbaiah, aged about 61 years, R/o D.No.1-415-711, Kothamasu Sreeramulu Street, Vidyadharapuram, Vijayawada, Krishna District, Andhra Pradesh.

...Petitioner

AND

1. Union of India, rep. by its General Manager, South Central Railway, Secunderabad.
2. The Divisional Railway Manager, (Works), South Central Railway, Vijayawada Division, Vijayawada, Krishna District.
3. The Senior Divisional Engineer, (Co-ordination), Divisional Railway Office, Vijayawada.
4. The Divisional Engineer, (North), Divisional Railway Office, Vijayawada.

...Respondents

Petition under Article 226 of the Constitution of India is filed praying that in the circumstances stated in the affidavit filed therewith, the High Court may be pleased to issue a Writ, Order or Direction more particularly one in the nature of Writ of Mandamus, declaring the action of the respondents in not removing the crushed stone material which was dumped in petitioners land in R.S.No.39/1,2,3,4 total extent Ac.5.65 cts. situated at Rayanapadu village, Vijayawada Rural Mandal, Krishna District which situated adjacent to the Railway land R.S.No.43 in spite of the petitioner representation dt.02-12-2015 is as illegal, arbitrary and violation of principles of natural justice consequently

direct the respondents to remove the crushed stone material which was dumped in the petitioner land to an extent of Ac.5.65 cts. in R.S.No.39/1, 39/2, 39/3, 39/4 of Rayanapadu village, Vijayawada Rural Mandal, Krishna District

IA NO: 1 OF 2016 (W.P.M.P.No.11730 of 2016)

Petition under Section 151 of CPC is filed 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 to remove the crushed stone material which was dumped in the land of the petitioner to an extent of Ac.5.65 as. in R.S.No.39/1, 39/2, 39/3, 39/4 of Rayanapadu village, Vijayawada Rural Mandal, Krishna District, Pending disposal of WP 9255 of 2016, on the file of the High Court.

The Petition coming on for hearing, upon perusing the Petition and the affidavit filed in support thereof and upon hearing the arguments of SRI P N MURTHY Advocate for the Petitioner, and of SRI T.NIRANJAN, Standing Counsel for the Respondents, the Court made the following

ORDER:

Though the matter was adjourned twice i.e., on 06.10.2025 and 13.10.2025, the respondents are not in a position to get instructions. Respondent No.4 has neither filed counter affidavit nor submitted their written instructions before this Court.

Therefore, there shall be a direction to the 4th respondent to remove all the crushed stone material which was dumped in the petitioner's land in an extent of Ac.5.65 cents in R.S.No.39/1, 39/2, 39/3 and 39/4 of Rayanapadu Village, Vijayawada Rural Mandal, Krishna District, within a period of ten (10) days from the date of receipt of a

copy of this order. Failing which, the 4th respondent shall appear before this Court.

Post on 11.11.2025.

//TRUE COPY//

Sd/-B.CHITTI JOSEPH
DEPUTY REGISTRAR



SECTION OFFICER

To,

1. The General Manager, Union of India, South Central Railway, Secunderabad.
2. The Divisional Railway Manager, (Works), South Central Railway, Vijayawada Division, Vijayawada, Krishna District.
3. The Senior Divisional Engineer, (Co-ordination), Divisional Railway Office, Vijayawada.
4. The Divisional Engineer, (North), Divisional Railway Office, Vijayawada.
(Addressees 1 to 4 by RPAD)
5. One CC to SRI. P N MURTHY Advocate [OPUC]
6. One CC to SRI. T.NIRANJAN, Standing Counsel [OPUC]
7. One spare copy

PSR

HIGH COURT

JS,J

DATED:16/10/2025

NOTE: Post on 11.11.2025.

ORDER

WP.No.9255 of 2016

INTERIM DIRECTION

