

APHC010627972016



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

[3332]

THURSDAY, THE 30th DAY OF JULY 2026

PRESENT:THE HONOURABLE SRI JUSTICE RAVI CHEEMALAPATI

WRIT PETITION NO: 9255/2016

Between:

- 1.KOTA VENKATA SUBRAHMANYAM DIED, S/O SUBBAIAH, AGED ABOUT 61 YEARS, R/O D.NO.1-415-711, KOTHAMASU SREERAMULU STREET, VIDYADHARAPURAM, VIJAYAWADA, KRISHNA DISTRICT, ANDHRA PRADESH.
- 2.KOTA PRAMEELA,, W/O. K.V. SUBRAHMANYAM LATE AGE 65 YEARS, D.NO.76-15-6/1, 2ND WARD, 2ND FLOOR, BACK SIDE OF BHARATH PETROL BUNK, CALIBER USTAV APARTMENT, BHAVANIPURAM, VIJAYAWADA URBAN, N.T.R. DISTRICT.
- 3.KOTA VENKATA NAGA SUMAN KUMAR,, S/O.K.V. SUBRAHMANYAM LATE, AGE 41 YEARS, R/O.D.NO.18-39-62, KAMMABAZAR, 7TH LINE, NEAR RAMALAYAM, SANAGDIGUNTA, GUNTUR, GUNTUR DISTRICT.
- 4.KOTA V ESWAR SUNIL KUMAR,, S/O.K.V.SUBRAHMANYAM LATE, AGE 40 YEARS, R/O. D/O.76-15-6/1, 2ND WARD, 2ND FLOOR, BACK SIDE OF BHARATH PETROL BUNK, CALIBER USTAV APARTMENT, BHAVANIPURAM, VIJAYAWADA URBAN, N.T.R. DISTRICT.
- 5.KOTA VENKATA SUDHA HEMANTH,, S/O.K.V.SUBRAHMANYAM LATE, AGE 37 YEARS, R/O. SMR VINAY ICONIA, STANLEY A 209, 2ND FLOOR, MASJID BANDA ROAD, KONDAPUR, K.V.RANGA REDDY DISTRICT, HYDERABAD 500084. PETITIONER NOS 2 TO 5 ARE BROUGHT ON RECORD AS LRS OF DECEASED SOLE PETITIONER AS PER COURT ORDER DT.16.06.2026 IN IA.NO.2 OF 2026

...PETITIONER(S)

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.

...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 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(WPMP 11730 OF 2016

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 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 the above writ petition

IA NO: 4 OF 2016(WPMP 49944 OF 2016

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

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 to permit the petitioners to file the counter- affidavit, failing which the petitioners herein will be put to grave irreparable loss and injury and pass

IA NO: 2 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 to implead the proposed petitioners 2 to 5 herein as petitioner No. 2 to 5 in the WP.No. 9255 of 2016 as Legal heir of the 1st petitioner, and to pass

IA NO: 3 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 grant leave to the petitioners to file Reply Affidavit in the above writ petition, in the interest of justice, and pass

Counsel for the Petitioner(S):

1.P N MURTHY

Counsel for the Respondent(S):

1.JUPUDI V K YAGNADUTT(CENTRAL GOVERNMENT COUNSEL)

The Court made the following:

ORDER

Sri P.N.Murthy, learned counsel for petitioner, submitted that cause in this writ petition no longer survives and nothing remains for adjudication in this writ petition and accordingly prayed to close the writ petition.

2. In view of the submission made by learned counsel for petitioner, this writ petition is closed. There shall be no order as to costs.

Pending miscellaneous petitions, if any, shall stand closed.

30TH July, 2026

JUSTICE RAVI CHEEMALAPATI
RR