

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

FRIDAY, THE TWENTY FIRST DAY OF NOVEMBER
TWO THOUSAND AND TWENTY FIVE

:PRESENT:

THE HONOURABLE SRI JUSTICE TARLADA RAJASEKHAR RAO
WRIT PETITION NO: 32453 OF 2025



Between:

Smt. S Shariyaz, W/o Late Shaik Khadeer Ahmed Basha, Aged about 59 years, Occ House wife, Resident of D.No.5-117, Old Masjid Street, Piler Town and Mandal, Annamayya District.

...Petitioner

AND

1. The State of Andhra Pradesh, Rep. by its Principal Secretary, Department of Panchayat Raj and Rural Development, Secretariat, Velagapudi, Amaravathi.
2. The District Collector, Annamayya District at Rayachoty.
3. The Mandal Parishad Development Officer, Piler Mandal, Annamayya District.
4. The Piler Grampanchayat, Rep. by its Panchayat Secretary, Piler Mandal, Annamayya District.

...Respondents

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, or Direction especially one in the nature of Writ of Mandamus declaring the action of the respondents 3 and 4 in interfering with the peaceful possession and enjoyment of the residential house property admeasuring an extent of 120 Sq. yards in Sy.No.292, bearing D.No.5-117, Patha Masjid Street, Piler town and Mandal, Annamayya District without following due process of law is illegal, arbitrary, highhanded and violation of

principles of natural justice and consequently direct the respondents 3 and 4 not to interfere with the construction of residential house making by the petitioner.

IA NO: 1 OF 2025

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 3 and 4 not to interfere with the house property admeasuring an extent of 120 Sq. yards in Sy.No.292, bearing D.No.5-117, Patha Masjid Street, Piler town and Mandal, Annamayya District without following due process of law, Pending disposal of WP 32453 of 2025, 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 VUTUPALLI RAJANNA Advocate for the Petitioner, and of GP FOR PANCHAYAT RAJ RURAL DEV, for the Respondent Nos.1 & 2, and of SRI M.SUDHIR, Standing Counsel for the Respondent Nos.3 & 4, the Court made the following

ORDER:

The respondent authorities are not allowing the petitioner to proceed with the construction on the sole ground that the petitioner has no right or title over the property and that the petitioner did not acquire the property under Section 54 of the Transfer of Property Act. The petitioner, however, claims ownership through a document, namely an Agreement of Sale-cum-Delivery of Possession.

Learned counsel for the petitioner submits that the petitioner has been in possession of the property for a long time. The petitioner demolished the old structure and constructed a new house. It is further

contended that, due to political motivation, the respondents are creating hurdles to proceed with the construction.

Detailed counter-affidavit is required.

There shall be interim directed, as prayed for, for a period of eight (08) weeks.

For filing counter-affidavit, list the matter after three (03) weeks.

//TRUE COPY//

SD/- K.J.RAJA BABU
ASSISTANT REGISTRAR

SECTION OFFICER

To,

1. The Principal Secretary, Department of Panchayat Raj and Rural Development, State of Andhra Pradesh, Secretariat, Velagapudi, Amaravathi. (by Special Messenger)
2. The District Collector, Annamayya District at Rayachoty.
3. The Mandal Parishad Development Officer, Piler Mandal, Annamayya District.
4. The Panchayat Secretary, Piler Grampanchayat, Piler Mandal, Annamayya District. (Addressees 2 to 4 by RPAD)
5. One CC to SRI. VUTUPALLI RAJANNA Advocate [OPUC]
6. Two CCs to GP FOR PANCHAYAT RAJ RURAL DEV ,High Court of Andhra Pradesh. [OUT]
7. One CC to SRI M.SUDHIR, Standing Counsel [OPUC]
8. One spare copy

PSR

HIGH COURT

TRR,J

DATED:21/11/2025

NOTE: list the matter after three (03) weeks.

ORDER

WP.No.32453 of 2025

INTERIM DIRECTION

