



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

[3208]

THURSDAY, THE ELEVENTH DAY OF DECEMBER
TWO THOUSAND AND TWENTY FIVE

PRESENT

THE HONOURABLE SRI JUSTICE D RAMESH

WRIT PETITION NO: 32573/2025

Between:

1. NARRA VENKATA KRISHNA RAO, S/O. ACHAI AH, AGED 64 YEARS, OCC CULTIVATION, R/O. D.NO.2-42, KOLLURU VILLAGE, KOLLURU MANDAL, BAPATLA DISTRICT.
2. NAGISETTY ANJANEYULU,, S/O. NAGENDRA RAO, AGED 59 YEARS, OCC CULTIVATION, R/O. D.NO.3-187, AVULAVARI PALEM, PEDALANKA VILLAGE, KOLLURU MANDAL, BAPATLA DISTRICT

...PETITIONER(S)

AND

1. THE STATE OF ANDHRA PRADESH, REP. BY PRINCIPAL SECRETARY, REVENUE DEPARTMENT, SECRETARIAT, VELAGAPUDI, AMARAVATI, GUNTUR DISTRICT.
2. THE DISTRICT COLLECTOR, BAPATLA DISTRICT AT BAPATLA.
3. THE REVENUE DIVISIONAL OFFICER, BAPATLA, BAPATLA DISTRICT.
4. THE TAHSILDAR, KOLLUR MANDAL, BAPATLA DISTRICT.
5. THE MANDAL SURVEYOR, KOLLUR MANDAL, BAPATLA DISTRICT.
6. THE VILLAGE SURVEYOR, KOLLUR VILLAGE, KOLLUR MANDAL, BAPATLA DISTRICT.

7.ASSISTANT ENGINEER, WATER RESOURCES DEPARTMENT,
KOLLUR MANDAL, BAPATLA DISTRICT.

...RESPONDENT(S):

The Court made the following ORDER:

1. This Writ Petition is filed under Article 226 of the Constitution of India seeking the following relief:

“to issue a writ, order or direction more particularly one in the nature of WRIT O F M A N D A M U S declaring the action of respondents especially the 5th respondents action in insisting the petitioners to vacate from their agricultural land admeasuring Ac.0.12 cents covered by Sy.No.230-1 situated at Kolluru Village, Kollur Mandal, Bapatla District, under the guise of a Survey Notice issued by the 5th respondent for the purpose of delivering such portion of land to the to the 7th respondent, as illegal, irregular, irrational, without jurisdiction and in violation of the provisions of Andhra Pradesh Survey and Boundaries Act, 1923 and offends Articles 14, 21 and 300- A of the Constitution of India and consequently direct the respondents not to interfere in any manner with his possession and enjoyment of petitioners over their aforesaid landed property and pass such....”

2. Heard the learned counsel for the petitioners and the learned Government Pleader for the respondents.

3. The learned counsel for the petitioners submits that the petitioners are the lawful possessors and enjoyers of the agricultural land admeasuring an extent of Ac.0.12 cents in Sy.No.230/1, situated at Kolluru Village and Mandal, Bapatla District. It is submitted that the said land was inherited from their forefathers, who have been in continuous, peaceful possession

and enjoyment of the subject property for more than 75 years. While things stood thus, the 5th respondent issued a notice dated 09.09.2025, proposing to conduct a survey of the petitioners' agricultural land, based on a request dated 04.09.2025 made by the Assistant Engineer, Kolluru, in connection with a grievance allegedly filed by certain third parties.

4. On the other hand, the learned Government Pleader for Revenue appearing for the respondents, on the basis of written instructions dated 24.11.2025 issued by the 4th respondent, submits that based on the available revenue records and the survey conducted, it was established that the petitioners have encroached upon Government land to an extent of Ac.0.13 cents in Sy.No.230 of Kolluru Village and Mandal. It is further stated that the land under dispute is classified as "Baavi Poramboke" and "Canal", respectively, as per the revenue records, and that the petitioners are in occupation of the said Government land without any lawful authority, documentary proof, or permission from the competent authorities.

5. Considering the submissions made by the learned counsel on either side, this Court is of the considered view that the present writ petition can be disposed of without adjudicating upon the merits of the case, by granting liberty to the respondent authorities to initiate appropriate action, if any encroachment is found, strictly in accordance with law, by following the due procedure and by issuing notice under the provisions of the Andhra Pradesh Land Encroachment Act, 1905, and thereafter to pass appropriate

orders. Till such time, the respondent authorities are directed not to dispossess the petitioners from the subject property except in accordance with law.

6. With the above direction, the writ petition is disposed of. No costs.

Consequently, Miscellaneous Petitions, if any, pending in the writ petition shall stand closed.

JUSTICE D. RAMESH

11.12.2025

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THE HONOURABLE SRI JUSTICE D RAMESH

WRIT PETITION No.32573 of 2025

11.12.2025

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