



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

[3329]

FRIDAY, THE 10th DAY OF JULY 2026

PRESENT

THE HONOURABLE SRI JUSTICE VENKATESWARLU NIMMAGADDA

CONTEMPT CASE NO: 3677/2025

Between:

- 1.S.GEETHA,, W/O S.HANUMANTH REDDY, AGED ABOUT 36 YEARS,
R/O.D.NO.OO, KONDAKINDA PALLI VILLAGE, THIRUMALAIAH
PALLI PANCHAYAT, VEDURU KUPPAM MANDAL, CHITTOR
DISTRICT, ANDHRA PRADESH-517569.
- 2.S.JYOTHI REDDY,, S/O S.MANI REDDY, AGED ABOUT 21 YEARS,
R/O D.NO.OO, MAKAMAMBAPURAM VILLAGE, THIRUMALAIAH
PALLI PANCHAYAT, VEDURU KUPPAM MANDAL, CHITTOR
DISTRICT, ANDHRA PRADESH-517569.
- 3.B.DAMODHAR REDDY,, S/O B.SAMBA SIVA REDDY, AGED ABOUT
40 YEARS, R/O D.NO.OO, MAKAMAMBAPURAM VILLAGE,
THIRUMALAIAH PALLI PANCHAYAT, VEDURU KUPPAM MANDAL,
CHITTOR DISTRICT, ANDHRA PRADESH-517569.

...PETITIONER(S)

AND

- 1.SUMITH KUMAR IAS, DISTRICT COLLECTOR DISTRICT
COLLECTOR OFFICE, CHITTOOR DISTRICT, ANDHRA PRADESH.
- 2.THE M SRINIVASULU, THE REVENUE DIVISIONAL OFFICER, RDO
OFFICE, CHITTOOR DISTRICT,ANDHRA PRADESH.
- 3.K BABU, THE TAHSILDAR VEDURUKUPPAM MANDAL, CHITTOOR
DISTRICT, ANDHRA PRADESH. R 3 CAUSE TITLE AMENDED AS
PER COURT ORDER DATED 27.02.2026, VIDE IA NO-1/2026 IN CC

NO-3677 OF 2025

...CONTEMNOR(S):

Petition under Sections 10 to 12 of Contempt of Courts Act 1971 praying that in the circumstances stated in the affidavit file herein the High Court may be pleased to may be pleased to Initiate contempt proceedings and punish the respondent under Section 10 to 12 of the Contempt of Courts Act 1971 for willful disobedience of the order dated 23.04.2025 in W.P. No. 10449/2025 affirmed in W.A. No.852/2025 Direct the respondent to forthwith remove the illegal encroachments in Sy.Nb. 187/1, Makamambapuram Village within a fixed period Direct the respondent to file a personal affidavit explaining -non-compliance and pass such

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 may be pleased pleased to Direct the respondent to personally appear before the Court and explain the reason for deliberate non-compliance.and pass such

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 may be pleased to permit the petitioners to amend the cause title by substituting the description of the 3rd respondent as: K.Babu, Tahsildar, Vedurukuppam Mandal, Chittoor District, Andhra Pradesh" in place of "K. Ramesh Babu, Tahsildar / Mandal Revenue Officer, Vedurukuppam Mandal, Chittoor District, Andhra Pradesh" and pass

Counsel for the Petitioner(S):

1.PASAPALA SUDHAKAR REDDY

Counsel for the Contemnor(S):

1.SUSHMA YAGANTI

The Court made the following:

THE HON'BLE SRI JUSTICE VENKATESWARLU NIMMAGADDA**CONTEMPT CASE NO: 3677/2025****ORDER:**

This contempt case is filed against the respondent for willful disobedience of the orders dated 23.04.2025 passed by this Court in W.P.No.10449 of 2025.

2. The case of the petitioners herein is that this Court passed an order dated 23.04.2025 directing the official respondents to remove the encroachments of respondent Nos.5 and 6 in the Writ Petition in respect of the land admeasuring to an extent of Ac.2.30 cents in Makamambapuram Village and Panchayat, Veduru Kuppam Mandal, Chittoor District. Even though this court specifically directed for removal of the encroachments of respondent Nos.5 and 6 in the Writ Petition, but the respondents herein not followed the procedure and not removed the encroachments as directed. Hence, the Contempt Case.

3. Learned counsel for the petitioners submits that the order of this Court dated 23.04.2025 was assailed by way of Writ Appeal No.852 of 2025, wherein the Hon'ble Division Bench of this Court confirmed the order of this Court dated 23.04.2025, but granted three more weeks time for removal of the encroachments of respondent Nos.5 and 6 in the Writ Petition. Therefore, the order of this Court was not set aside. On the other hand, the official respondents are directed for removal of the encroachments by following due process of law. Even though this Court specifically directed for further action, but the official respondents not initiated any steps for removal of the encroachments of respondent Nos.5 and 6 in the Writ Petition in respect of the subject property.

4. Learned counsel for respondent No.3 filed counter-affidavit, wherein it is stated that the unofficial respondent No.6 in the Writ Petition filed an appeal before the District Collector/respondent No.1 herein against the notice issued by the Tahsildar/respondent No.3. Thereafter, the said appeal was admitted and notice was issued for conducting enquiry. After hearing, the District Collector/respondent No.1 passed an order dated 07.01.2026. It is further stated that respondent No.3 complied with the order of this Court by issuing notice under Section 7 and 6 of the Andhra Pradesh Land Encroachment Act, 1905 (hereafter referred as 'Act'). While things stood thus, the unofficial respondents/encroachers filed Writ Appeal before the Hon'ble Division Bench of this Court and obtained three weeks time. Hence, there is no violation of the orders of this Court on the part of the respondents.

5. In view of the orders passed in the Writ Appeal, the order of this Court was already merged with and three more weeks time was granted for removal and the appellate authority is directed to pass an order under Section 6 of the Act. Accordingly, respondent No.1 passed a detailed order dated 07.01.2026. Therefore, the respondents in the contempt case neither violated nor disobeyed the orders of this Court. Till passing of the orders in the Writ Appeal, respondent No.3 herein issued notice under Section 7 and 6 of the Land Encroachment Act.

6. Heard both the learned counsel and perused the material placed on record.

7. It is appropriate to extract the order dated 23.04.2025 passed by this Court in W.P.No.10449 of 2025, which is as follows:

“Having regard to the submissions made by the learned counsel for the petitioner and on perusal of the material placed on record, this Court deems it appropriate to dispose of the writ petition directing the official respondents to remove the encroachments of respondent Nos.5 and 6, after issuing notice to all the parties concerned and by following due process of law.

5. With the above direction, the writ petition is disposed of. There shall be no order as to costs.”

8. It seems that pursuant to the order of this Court, the respondents issued notice under Section 7 and 6 of the Act. It also appears that at this juncture the unofficial respondent No.6 in the Writ Petition assailed the order of this Court by way of Writ Appeal No.852 of 2025, wherein the Hon'ble Division Bench of this Court passed order dated 04..08.2025 which is extracted under:

“The fact remains that the Order, under Section-6 of the Act, 1905, has been passed after the filing of this appeal and has not yet been challenged before the appropriate authority. In the circumstances, this Writ Appeal is disposed of leaving it open to the appellant to avail the remedy of appeal, under the provisions of the Act, 1905.

6. Needless to say, the observations of the Learned Single Judge, in the Order dated 23.04.2025, shall not be taken into account by the appellate authority.

7. For the purposes of permitting the appellant to avail the alternative remedy of appeal, the possession of the appellant over the said land shall not be

disturbed, for a period of three weeks. There shall be no order as to costs.”

9. In view of the order passed in the Writ Appeal by the Hon'ble Division Bench of this Court, the order passed in the Writ Petition dated 23.04.2025 is merged with the order passed in the Writ Appeal. It is settled legal position that once the order is merged with the order in the appeal, the original order lacks its enforceability. As such, the petitioner cannot be permitted to canvass that the respondents not complied with the orders of this Court in view of the further directions in Writ Appeal. Therefore, the contempt case is not maintainable.

10. Accordingly, the Contempt Case is closed. No order as to costs.

Consequently, Miscellaneous Petitions, if any, pending in the contempt case shall stand closed.

VENKATESWARLU NIMMAGADDA, J

10.07.2026

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HON'BLE SRI JUSTICE VENKATESWARLU NIMMAGADDA

(closed)

CONTEMPT CASE NO: 3677/2025

10.07.2026

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