



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

[3332]

WEDNESDAY, THE TENTH DAY OF DECEMBER
TWO THOUSAND AND TWENTY FIVE

PRESENT

THE HONOURABLE SRI JUSTICE RAVI CHEEMALAPATI

WRIT PETITION NO: 32937/2025

Between:

1. YANAMANDALA LAVA KUMAR,, S/O. LATE. Y. SUDHAKAR NAIDU, AGED ABOUT 25 YEARS, OCC SOFTWARE PROFESSIONAL, R/O. MATAMAPALLI VILLAGE, KALUVAGUNTA POST, PENUMUR MANDAL, CHITTOOR DISTRICT, ANDHRA PRADESH, CURRENTLY RESIDING AT 1515, ENNIS JOSLIN ROAD, APARTMENT 224, CORPUS CHRISTI CITY, STATES TEXAS, USA- ZIP CODE 78412. REPRESENTED BY GENERAL POWER OF ATTORNEY, Y. JAYACHANDRA NAIDU, S/O. VENKATADRI NAIDU, AGED ABOUT 49 YEARS, OCC EMPLOYEE, R/O. MATAMAPALLI VILLAGE, KALUVAGUNTA POST, PENUMUR MANDAL, CHITTOOR DISTRICT, ANDHRA PRADESH

...PETITIONER

AND

1. THE STATE OF ANDHRA PRADESH, REP. BY ITS PRINCIPAL SECRETARY, PANCHAYAT RAJ AND RURAL DEVELOPMENT DEPARTMENT, A.P. SECRETARIAT BUILDINGS, VELAGAPUDI, AMARAVATI, GUNTUR DISTRICT, ANDHRA PRADESH.
2. THE COMMISSIONER, PANCHAYAT RAJ AND RURAL DEVELOPMENT DEPARTMENT, PVS ICON BUILDING, PATHURU X ROAD, TADEPALLI, GUNTUR DISTRICT.
3. THE DISTRICT COLLECTOR, (PANCHAYAT RAJ AND RURAL DEVELOPMENT) DEPARTMENT, CHITTOOR DISTRICT, CHITTOOR.

- 4.THE DISTRICT PANCHAYAT OFFICER, PANCHAYAT RAJ AND RURAL DEVELOPMENT DEPARTMENT, CHITTOOR DISTRICT, CHITTOOR.
- 5.THE MANDAL PARISHAD DEVELOPMENT OFFICER, PENUMUR MANDAL, CHITTOOR DISTRICT.
- 6.THE PANCHAYAT SECRETARY, SAMIREDDIPALLE GRAMA PANCHAYAT, PENURNUR MANDAL, CHITTOOR DISTRICT.
- 7.THE EXECUTIVE ENGINEER, PANCHAYAT RAJ AND RURAL DEVELOPMENT DEPARTMENT, CHITTOOR DISTRICT, CHITTOOR.
- 8.THE DEPUTY ENGINEER, PANCHAYAT RAJ AND RURAL DEVELOPMENT DEPARTMENT, PR-11 PENURNUR MANDAL, CHITTOOR, CHITTOOR, CHITTOOR DISTRICT, CHITTOOR.
- 9.THE ASSISTANT ENGINEER, PANCHAYAT RAJ AND RURAL DEVELOPMENT DEPARTMENT, PR-11 PENURNUR MANDAL, CHITTOOR, CHITTOOR DISTRICT.

...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 topleased to issue an appropriate Writ, Order or Direction more particularly one in the nature of Writ of Mandamus declare the highhanded action of the respondents and their authorities, that, without issuing any notice to the petitioner, without land acquisition proceedings without paying any compensation to the petitioner agricultural patta land an extent of Ac 3.98 cents in Sy.No. 188-5C situated in Sy.No.188-5C of Samireddipalle village accounts, Samireddipalle panchayat, Penumuru Mandal, Chittoor District, the respondent nos.3 to 9 and their authorities trying to lay BT surface road from Samireddipalle road to Yanadhi Colony at Samireddipalle Village, Penumuru Mandal, Chittoor District, through petitioners agricultural patta land is illegal, arbitrary, unjust, violation of principles of natural justice, violation of Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013 and violation of the provisions of the Andhra Pradesh Panchayat Raj Act, 1994 and violation of Article 14, 21, 300-A of Constitution of India and consequently direct the respondent nos. 3 to 9 a)not to lay BT Surface road in petitioners agricultural patta land an

extent of Ac.3.98 cents in Sy.No.188-5C situated in Sy.No.188-5C of Samireddipalle village accounts, Samireddipalle panchayat, Penumuru Mandal, Chittoor District b)to follow due process of law and to lay BT Surface road in petitioners land and pass such other order or orders as deem fit and proper in the circumstances of the case. Prayer is amended as per the Court's Order dt.10.12.2025 in I.A.No.03 of 2025.

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 to direct the respondent nos. 3 to 9 not to lay BT surface road in petitioner's agricultural patta land situated in Sy. No. 188-5C of Samireddipalle village accounts, Samireddipalle panchayat, Penumuru Mandal, Chittoor District, pending disposal of the above writ petition and pass such

IA NO: 2 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 to direct the respondent nos. 7 to 9 to produce the copy of work agreement with regard to the BT Surface road before this Hon'ble Court, forthwith and pass such

IA NO: 3 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 "pleased to issue an appropriate Writ; Order or Direction more particularly one in the nature of Writ of Mandamus declare the highhanded action of the respondents and their authorities, that, without issuing any notice to the petitioner, without land acquisition proceedings, without paying any compensation to the petitioner agricultural patta land situated in Sy. No. 188-5C of Samireddipalle village accounts, Samireddipalle panchayat, Penumuru Mandal, Chittoor District, the respondent nos. 3 to 9 and their authorities trying to lay BT surface road from Samireddipalle road to Yanadhi Colony at Samireddipalle Village, Penumuru Mandal, Chittoor District, through petitioner's agricultural patta land is illegal, arbitrary, unjust, violation of principles of natural justice, violation of Right to Fair Compensation and .

Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013 and violation of the provisions of the Andhra Pradesh Panchayat Raj Act, 1994 and violation of Article 14, 21, 300-A of Constitution of India and consequently direct the respondent nos. 3 to 9 a) not to lay BT Surface road in petitioner's agricultural patta land situated in Sy. No. 188-5C of Samireddipalle village accounts, Samireddipalle panchayat, Penumuru Mandal, Chittoor District b) to follow due process of law and to lay BT Surface road in petitioner's land and pass such other order or orders as deem fit and Proper' in the circumstances of the case", as "pleased to issue an appropriate Writ, Order or Direction more particularly one in the nature of Writ of Mandamus declare the highhanded action of the respondents and their authorities, that, without issuing any notice to the petitioner, without land acquisition proceedings. without paying any compensation to the petitioner agricultural patta land an extent of Ac. 3.98 cents in Sy. No. 188-5C situated in Sy. No. 188-5C of Samireddipalle village accounts, Samireddipalle panchayat, Penumuru Mandal, Chittoor District, the respondent nos. 3 to 9 and their authorities trying to lay BT surface road from Samireddipalle road to Yanadhi Colony at Samireddipalle Village, Penumuru Mandal, Chittoor District, through petitioner's agricultural patta land is illegal, arbitrary, unjust, violation of principles of natural justice, violation of Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013 and violation of the provisions of the Andhra Pradesh Panchayat Raj Act, 1994 and violation of Article 14, 21, 300-A of Constitution of India and consequently direct the respondent nos. 3 to 9 a) not to lay BT Surface road in petitioner's agricultural patta land an extent of Ac. 3.98 cents in Sy. No. 188-5C situated in Sy. No. 188-5C of Samireddipalle village accounts, Samireddipalle panchayat, Penumuru Mandal, Chittoor District b) to follow due process of law and to lay BT Surface road in petitioner's land and pass

Counsel for the Petitioner:

1.CHAMARTHY LEELA SRINNIVASA VARMA

Counsel for the Respondent(S):

1.GP FOR PANCHAYAT RAJ RURAL DEV

ORDER

The grievance of the petitioner is that the authorities, without issuing any notice, without acquiring the land and without paying compensation, are attempting to lay a BT surface road in his agricultural land situated in Survey No.188-5C of Samireddipalle village accounts, Samireddipalle Panchayat, Penumuru Mandal, Chittoor District.

2. Sri MatteguntaSudheer, learned Standing Counsel, on written instructions dated 10.12.2025 of the Executive Engineer, PRI Division, Chittoor, submitted that on the objection made by the petitioner, laying of BT road in the subject land was stalled.

3. It is fairly settled that Article 300A of the Constitution, which asserts the Right to Property, means, the authorities cannot seize or interfere with an individual's property without following a proper, lawful procedure, ensuring fairness, notice, and a chance to be heard, rather than acting arbitrarily.

4. The written instructions dated 10.12.2025 placed on record by the learned Standing Counsel nowhere specifies that the procedure established by law was followed before attempting to lay road in the petitioner's land.

5. In view of the above, this writ petition is disposed of, directing the authorities not to interfere with the petitioner's possession and enjoyment of

the subject property including laying of road without following due process of law. There shall be no order as to costs. There shall be no order as to costs.

Pending miscellaneous petitions, if any, shall stand closed.

DATED 10TH DAY OF DECEMBER, 2025

JUSTICE RAVI CHEEMALAPATI
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