

APHC010646162025



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

[3208]

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

PRESENT

THE HONOURABLE SRI JUSTICE D RAMESH

WRIT PETITION NO: 33364/2025

Between:

1. KONDREDDI GOPALA KRISHNA,, S/O. MANGAIAH
NAIDU AGED ABOUT 41 YEARS, OCCUPATION
BUSINESS, D.NO. 14-8-1, BALACHERUVU ROAD,
BHANOJITHOTA, GAJUWAKA MANDAL,
VISAKHAPATNAM-530026.

...PETITIONER

AND

1. THE STATE OF ANDHRA PRADESH, REP. BY ITS
PRINCIPAL SECRETARY, REVENUE DEPARTMENT,
SECRETARIAT BUILDINGS, VELAGAPUDI,
AMARAVATHI.

2. THE DISTRICT COLLECTOR, VISAKHAPATNAM
DISTRICT, VISAKHAPATNAM. .

3. THE REVENUE DIVISIONAL OFFICER,
VISAKHAPATNAM, VISAKHAPATNAM DISTRICT.

4. THE TAHSILDAR, GAJUWAKA MANDAL,
VISAKHAPATNAM DISTRICT.

5. GREATER VISAKHAPATNAM MUNICIPAL

CORPORATION GVMC, ZONAL OFFICE NO. VI,
VISAKHAPATNAM, VISAKHAPATNAM DISTRICT., REP
BY ITS ZONAL COMMISSIONER

6.THE STATION HOUSE OFFICER, NEWPORT POLICE
STATION, PEDA GANTYADA, VISAKHAPATNAM
DISTRICT.

...RESPONDENT(S):

Counsel for the Petitioner:

1.MAHADEVA KANTHRIGALA

Counsel for the Respondent(S):

1.GP FOR HOME

2.GP FOR REVENUE

The Court made the following:

THE HONOURABLE SRI JUSTICE D.RAMESH**WRIT PETITION No.33364 of 2025****ORDER:**

This writ petition is filed under Article 226 of the Constitution of India seeking the following relief:

“....to issue an appropriate Writ, Order or Direction, more particularly one in the nature of writ or writ of Mandamus, declaring the action of the 4th respondent, in issuing the impugned Proceedings Rc.No.607/2025/SA dated 24.11.2025 directing the petitioner to evict from the Petitioner Residential Building in Plot No. 15 to an extent of 156.90 Sq.Yds in S.No.82, Gajuwaka Village, Gajuwaka Mandal, Visakhapatnam District under Sec.6 of A.P. Land Encroachment Act, 1905 as illegal, improper, unjust, arbitrary. Violative of Article 14, 21 and 300-A of the Constitution of India, against the principles of natural justice and further direct the respondents not to take any coercive steps against the Petitioner Property/Residential Building and not to demolish the petitioner property....”

2. Heard learned counsel for the petitioner and learned Assistant Government Pleader for Revenue appearing for respondent Nos.1 to 4.

3. The grievance of the petitioner is that as against the proceedings dated 24.11.2025, the petitioner has a statutory

remedy under Section 10(1)(a) of the Andhra Pradesh Land Encroachment Act, 1905 (for short, 'the Act') within 60 days. Even without completing the statutory period for filing an appeal, the respondents are trying to interfere and trying to demolish the subject property. Hence, the present writ petition.

4. Considering the submissions, this Court has passed the following interim order on 28.11.2025:

"The grievance of the petitioner is that the respondents have passed an order dated 24.11.2025 under Section 6 of Land Encroachment Act and without giving time to the petitioner to file a statutory appeal, the respondents are trying to interfere and trying to demolish the building.

Considering the submissions, there shall be a direction to the respondents not to demolish or interfere with the subject building for a period of four weeks.

5. Learned Assistant Government Pleader appearing on behalf of the respondents, on instructions, has submitted that the petitioner has a remedy under Section 10(1)(a) of the Act and the respondents are not taking any action.

6. Considering the said submissions, the Writ Petition is disposed of giving liberty to the petitioner to approach the competent authority by filing an appeal under Section 10(1)(a) of the Act and along with the appeal, the petitioner may also file an interim application. Till disposal of the interim application, the interim orders granted by this Court on 28.11.2025 shall continue. There shall be no order as to costs.

As a sequel, miscellaneous petitions, pending if any, shall stand closed.

JUSTICE D.RAMESH

Date: 03.12.2025

Note: Issue CC in one week.

(B/o)

lvd

THE HONOURABLE SRI JUSTICE D.RAMESH

WRIT PETITION No.33364 of 2025

Dated: 03.12.2025

lvd