



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

[3332]

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

PRESENT

THE HONOURABLE SRI JUSTICE RAVI CHEEMALAPATI

WRIT PETITION NO: 33625/2025

Between:

1.DANDU APPALA NARASAMMA, W/O. RAMAKRISHNAM RAJU AGED
81 YEARS, OCC HOUSE WIFE, R/O. H.NO.1-21/1 ,NAVUDURU
VILLAGE VEERAVASARAM MANDAL, WEST GODAVARI DISTRICT

...PETITIONER

AND

1.THE STATE OF AP, REPRESENTED BY ITS PRINCIPAL
SECRETARY, PANCHAYAT RAJ RURAL DEVELOPMENT
DEPARTMENT, SECRETARIAT BUILDINGS, VELAGAPUDI,
THULLUR MANDAL, AMARAVATI, GUNTUR DISTRICT. 2

2.THE DISTRICT COLLECTOR, WEST GODAVARI DISTRICT,
BHIMAVARAM. 3.

3.THE DISTRICT GRAMAPANCHAYAT OFFICER, WEST GODAVARI
DISTRICT, BHIMAVARAM. 4.

4.THE REVENUE DIVISIONAL OFFICER, BHIMAVARAM DIVISION,
BHIMAVARAM, WEST GODAVARI DISTRICT. 5.

5.THE DIVISIONAL PANCHAYAT OFFICER, BHIMAVARAM DIVISION,
BHIMAVARAM, WEST GODAVARI DISTRICT. 6.

6.THE TAHSILDAR, VEERAVASARAM MANDAL, WEST GODAVARI
DISTRICT.

7.THE DEPUTY MANDAL PARISHAND DEVELOPMENT OFFICER,
(FORMERLY EXTENSION OFFICER) (PR RD) VEERAVASARAM

MANDAL, WEST GODAVARI DISTRICT. 8.

8.THE GRAM PANCHAYATNAVUDURU, REPRESENTED BY ITS SECRETARY, NAVUDURU VILLAGE, VEERAVASARAM MANDAL, WEST GODAVARI DISTRI

...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 to issue an order, writ or direction more particularly in the nature of Writ of MANDAMUS declaring the action of the respondent authorities in attempting to dispossess the Petitioner from her fish tank popularly known as Rajula Tank in R.S.No. 155/2 to an extent of Ac.2-05 Cents situated at Navuduru Village, Veeravasaram Mandal, West Godavari District which is in the Petitioner and her ancestors absolute ownership, possession and enjoyment for more than several decades and without issuing any notice and without following due process of law and without acquiring land acquisition proceedings as illegal, arbitrary and violative of Articles 14, 19 and 300-A of the Constitution and Principles of Natural justice and consequently direct the respondent authorities not to interfere with the Petitioners peaceful possession and enjoyment of her fish tank popularly known as Rajula Tank in R.S.No. 155/2 to an extent of Ac.2-05 Cents situated at Navuduru Village, Veeravasaram Mandal, West Godavari District and pass

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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 to direct the respondent authorities not to disturb and interfere with the peaceful possession and enjoyment of the Petitioner's fish tank popularly known as Rajula Tank in R.S.No. 155/2 to an extent of Ac.2-05 Cents situated at Navuduru Village, Veeravasaram Mandal, West Godavari District in any manner including de-watering and demolition of tank and pass such further order or orders as this Hon'ble court may deem fit and proper in the circumstance of the case

Counsel for the Petitioner:

1.RAMBABU KOPPINEEDI

Counsel for the Respondent(S):

1.GP FOR PANCHAYAT RAJ RURAL DEV

The Court made the following order:

Aggrieved by the action of respondent authorities in attempting to dispossess the petitioner from her fish tank popularly known as 'Rajula Tank' in R.S.No.155/2 admeasuring Ac.2.05 cents situated at Navuduru Village, Veeravasaram Mandal, West Godavari District, the present Writ Petition has been filed.

2. Heard Sri Rambabu Koppineedi, learned counsel for the petitioner, Smt D.Chandrika, learned Assistant Government Pleader for Panchayat Raj and Sri Y.Koteswararao, learned standing counsel for Gram Panchayat.

3. Learned counsel for the petitioner, in elaboration to what has been stated in the affidavit, contended that the petitioner is the absolute owner and possessor of the subject land by way of succession. The revenue authorities had withdrawn interference over the said tank *vide* TBR No.435, dated 14.11.1925, as the tank was declared to be private property by the Tahsildar, West Godavari District. During resurvey, the said land was noted in the RSR of Navuduru village as 'GP Tank' and in the FMB as 'Rajula Tank'. The petitioner's husband did not notice the same during his life time and could not rectify the mistake, resulting which the land being included in the prohibited list under 22-A Register. He further submitted that the petitioner made representations to the revenue authorities dated 17.08.2018 and 24.01.2019 requesting a *suo moto* enquiry regarding the dotted lands and seeking mutation of her name in the revenue records in place of 'Rajula Tank'. He

further submitted that at the time of conducting enquiry, the Gram Panchayat submitted a report to the Tahsildar, dated 24.08.2020, wherein it was categorically stated that as per available records since 1993, the said tank does not belong to the Gram Panchayat and is under the name of 'Rajula Tank' being in possession and enjoyment of private persons. He further submitted that respondent Nos.5 to 8 along with their staff, without issuing any notice and without following the due process of law, visited the tank on 20.11.2025 and 28.11.2025 are attempting to dispossess the petitioner from her fish tank and also dewatering the tank. Hence, prayed to pass orders protecting the interest of the petitioner.

4. On the other hand, learned counsel for the respondents sought time to get instructions.

5. Perused the record and considered the submissions made by learned counsel for parties.

6. The contention of the petitioner is that the respondent authorities, without issuing any notice and without following the due procedure, are attempting to dispossess the petitioner from the subject tank and demolish the same. Perusal of the record shows that there are certain disputed facts regarding the ownership and possession of the subject property. This Court, under Article 226 of the Constitution of India, cannot adjudicate on disputed questions of title, including whether the property is ancestral property of the petitioner or not. A perusal of proceedings in Roc No.272/2020(B) dated 29.08.2020 of the Tahsildar, Veeravasaram would indicate that on the

representation made by the petitioner, an enquiry was conducted and came to a conclusion that the petitioner is in possession of the subject property. In view of the said fact that the petitioner is in possession of the property and if the authorities have any intention to dispossess her, they have to follow due process of law. Hence, this Court, without going into the merits of the case, is inclined to dispose of the Writ Petition at the admission stage with the following direction.

“The respondent authorities concerned are directed not to dispossess the petitioner from her fish tank in R.S.No.155/2 to an extent of Ac.2.05 cents situated at Navuduru Village, Veeravasaram Mandal, West Godavari District. It is needless to say that if the respondent authorities have any intention to dispossess the petitioner from the subject tank, they shall follow the due process of law by issuing a proper notice calling for explanation and affording the petitioner an opportunity of being heard and thereafter pass a reasoned order and communicate the same to the petitioner. The petitioner may raise all the grounds that are raised before this Court by way of explanation to the notice issued by the respondents.”

7. Accordingly, the Writ Petition is disposed of. There shall be no order as to costs.

As a sequel thereto, interlocutory applications pending, if any in the Writ Petition, shall also stand closed.

JUSTICE RAVI CHEEMALAPATI

03.12.2025
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THE HON'BLE SRI JUSTICE RAVI CHEEMALAPATI

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