



**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: 33688/2025

Between:

1. AKKINA LAKSHMINARAYANA, S/O. AKKINA VEERA SWAMY, AGED ABOUT 58 YEARS, R/O. NARAYANAPURAM VILLAGE, UNGUTURU MANDAL, ELURU DISTRICT, ANDHRA PRADESH.
2. AKKINA SWARAJYA LAKSHMI,, W/O. AKKINA LAKSHMINARAYANA, AGED ABOUT 55 YEARS, R/O. NARAYANAPURAM VILLAGE, UNGUTURU MANDAL, ELURU DISTRICT, ANDHRA PRADESH.

...PETITIONER(S)

AND

1. THE STATE OF ANDHRA PRADESH, REP BY ITS PRINCIPAL SECRETARY, DEPARTMENT OF REVENUE, A.P. SECRETARIAT OFFICE, VELAGAPUDI, AMARAVATI, GUNTUR DISTRICT, ANDHRA PRADESH.
2. THE DISTRICT COLLECTOR, ELURU, ELURU DISTRICT, ANDHRA PRADESH.
3. THE REVENUE DIVISIONAL OFFICER, UNGUTURU MANDAL, ELURU DISTRICT ANDHRA PRADESH.
4. THE TAHSILDAR, UNGUTURU MANDAL, ELURU DISTRICT, ANDHRA PRADESH.

...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 a Writ Order or direction particularly, one in the nature of writ of Mandamus declaring the action of Respondent No.4 in issuing the impugned notice vide R.C.No.654/2025(A) dated 22.11.2025, calling the petitioner for a joint survey without any lawful basis. The action of Respondent No.4 is illegal, arbitrary, violative of the principles of natural justice, and infringes upon the petitioner's fundamental rights guaranteed under Articles 14 and 21 of the Constitution of India and consequently, set aside the impugned notice vide R.C.No.654/2025 (A) dated 22.11.2025 issued by the Respondent No.4 and to pass

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 to suspend the impugned notice vide R.C.No.654/2025(A) dated 22.11.2025 issued by Respondent No.4 and pass order or orders in accordance with the law pending disposal of the above writ petition and to pass

Counsel for the Petitioner(S):

1.D TARAKA PRASAD

Counsel for the Respondent(S):

1.GP FOR REVENUE

The Court made the following:

THE HONOURABLE SRI JUSTICE D.RAMESH**WRIT PETITION NO: 33688 of 2025****ORDER:**

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

“to issue a writ, order or direction more particularly one in the nature of Writ of Mandamus declaring the action of respondent No.4 in issuing the impugned notice vide R.C.No.654/2025(A), dated 22.11.2025, calling the petitioners for a joint survey, without any lawful basis, as illegal and arbitrary”.

2. Heard the learned counsel for the petitioners and the learned Assistant Government Pleader for Revenue.

3. The learned counsel for the petitioners submits that the petitioners purchased aqua culture property to the total extent of Ac.15.91 cents situated at Ravulaparru village, Unguturu Mandal, West Godavari District. One Talliboyina Rajesh has made a false complaint alleging that the petitioners have encroached the water canal situated near Ganapavaram road adjoining their land, without any foundation or supporting material. Based on that baseless complaint, the respondent authorities issued notice dated 22.11.2025 for conducting joint survey. He further submits that even in the impugned notice, no survey number or specific location of the alleged encroachment has been mentioned, which itself shows that the notice is vague.

4. The learned Assistant Government Pleader for Revenue, on written instructions, submits that based on the complaint registered in Public Grievance Redressal System (PGRS), by some affected persons, that the government lands were encroached by the petitioners and others, the impugned notice dated 22.11.2025 has been given to the petitioners and others for conducting joint survey. He further submits that without conducting survey, it cannot be decided whether the petitioners and others have encroached the government lands or not.

5. Considering the submissions made by both the learned counsel, this court is not inclined to interfere the enquiry by the authorities.

6. Accordingly, the Writ Petition is disposed of, giving liberty to the petitioners to submit their explanation along with relevant records, after submitting the explanation along with relevant documents, the respondent authorities are directed to pass appropriate orders by giving an opportunity of hearing to the petitioners. There shall be no order as to costs.

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

JUSTICE D.RAMESH

Dt:03.12.2025
sj

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THE HON'BLE SRI JUSTICE D. RAMESH

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Dt.03.12.2025

sj