



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

FRIDAY, THE FIFTH DAY OF DECEMBER
TWO THOUSAND AND TWENTY FIVE

PRESENT

THE HONOURABLE DR JUSTICE VENKATA JYOTHIRMAI PRATAPA

WRIT PETITION NO: 33972 OF 2025

Between:

1. BACHU SAMUEL, S/o late Raghavulu, Aged about 49 years, R/o S.C. Colony, Throvagunta Village, Ongole Municipal Corporation, Prakasam District.

...Petitioner

AND

1. The State of Andhra Pradesh, Rep. by its Principal Secretary, Municipal Administration Department Secretariat, Velagapudi, Amaravati.
2. The District Collector, Prakasam District, Ongole.
3. The Superintendent of Police, Prakasam District, Ongole.
4. The Station House Officer, Ongole Town Police Station, Ongole.
5. The SubInspector of Police, Ongole Town Police Station, Ongole.
6. Sri Kandula Jaya Chandra, Syam Sundara Rao, Hindu, Coolie, aged about 56 years, R/o SC Colony, Throvagunta Village, Ongole.

...Respondents

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 please to allow the writ petition, issue a Writ of Mandamus

declaring the inaction, collusion and failure of Respondent Nos.2 to 5 in preventing the illegal encroachment of the public/right-of-way passage in Sy.No.376, S.C.Colony, Throvagunta Village, Ongole, as illegal, arbitrary, unconstitutional and violative of Articles 14, 21 and 300-A of the Constitution of India and by directing the Respondent to not to interfere into the civil matter relating to right of easement freely accessible through the galli/passage and 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 direct the respondents no.3 to take a serious action by conducting a detailed enquiry against the respondent no.4 and 5 for interfering into the civil matter relating to right of easement freely accessible through the galli/passage in Sy.No.376, S.C.Colony, Throvagunta Village, Ongole, and direct the respondents no. 4 and 5 to not to interfere in the civil matter

Counsel for the Petitioner: GADDIGOPULA SRINIVAS

Counsel for the Respondents: GP FOR HOME Counsel for the Respondents:GP FOR REVENUE Counsel for the Respondents:GP MUNICIPAL ADMN AND URBAN DEV AP

The Court made the following order:

THE HONOURABLE DR JUSTICE VENKATA JYOTHIRMAI PRATAPA

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ORDER:

This Writ Petition is filed under Article 226 of Constitution of India with the following prayer for:

“...pleased to allow the writ petition, issue a Writ of Mandamus declaring the inaction, collusion and failure of Respondent Nos.2 to 5 in preventing the illegal encroachment of the public/right-of-way passage in Sy.No.376, S.C.Colony, Throvagunta Village, Ongole, as illegal, arbitrary, unconstitutional and violative of Articles 14, 21 and 300-A of the Constitution of India and by directing the Respondent to not to interfere into the civil matter relating to right of easement freely accessible through the galli/passage and Pass”

2. Heard Sri Gaddigopula Srinivas, learned counsel for the petitioner and Sri V.Farook, learned Assistant Government Pleader for Home.

3. Learned counsel for the petitioner submits that the petitioner has filed a civil suit on 24.11.2024 in O.S. No.680 of 2025 on the file of Junior Civil Judge (Junior Division) Ongole seeking declaration of their easementary rights. It is stated that since no interim order was granted and only urgent notice was ordered. In the meantime the unofficial respondents constructed a wall.

4. Learned Assistant Government Pleader submits that appropriate orders may be passed.

5. In the light of the submissions made, this Writ Petition is disposed of. However, the petitioner is at liberty to work out his remedy before the Civil Court in O.S. No.680 of 2025, where the suit for declaration of easementary rights is presently pending. There shall be no order as to costs.

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

Dr.JUSTICE VENKATA JYOTHIRMAI PRATAPA

Dated 05.12.2025
KKV

THE HONOURABLE DR JUSTICE VENKATA JYOTHIRMAI PRATAPA

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WRIT PETITION NO:33972 OF 2025

Dated 05.12.2025
KKV

HIGH COURT OF ANDHRA PRADESH:: AMARAVATI

MAIN CASE NO.: W.P.No.33972 of 2025

PROCEEDING SHEET

Sl. No.	Date	ORDER	OFFICE NOTE
1	05.12.2025	<u>Dr.VJP,J</u> The Writ Petition is disposed of. (Vide separate order) _____ Dr.VJP, J <i>KKV</i>	