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APHC010277262018

IN THE HIGH COURT OF ANDHRA PRADESH
AT AMARAVATI [3333]
(Special Original Jurisdiction)

TUESDAY, THE 23rd DAY OF JUNE 2026

PRESENT

THE HONOURABLE SMT JUSTICE V.SUJATHA

WRIT PETITION NO: 12509/2018

Between:

1. SMT. M.PARVATHAMMA, W/O. VEERESH YADAV, 38 YRS. R/O. ISVI VILLAGE, ADONI MANDAL,KURNOOL DISTRICT.
2. SMT. MULLA MAHABOOB BI, W/O. FAKRUDDIN, 32 YRS.,R/O. ISVI VILLAGE, ADONI MANDAL,KURNOOL DISTRICT
3. SMT. UMADEVI, W/O. SANKARAIAH SWAMY, 41 YRS.,R/O. ISVI VILLAGE, ADONI MANDAL,KURNOOL DISTRICT.
4. SMT. ESWARAMMA, W/O. NAGENDRA, 32 R/O. ISVI VILLAGE, ADONI MANDAL,KURNOOL DISTRICT.

...PETITIONER(S)

AND

1. THE STATE OF ANDHRA PRADESH, REP.BY ITS PRINCIPAL SECRETARY, REVENUE DEPARTMENT, SECRETARIAT BUILDINGS, VELAGAPUDI, GUNTUR DISTRICT.
2. THE DISTRICT COLLECTOR, KURNOOL DISTRICT AT KURNOOL.
3. THE REVENUE DIVISIONAL OFFICER, THE REVENUE DIVISIONAL OFFICER, ADONI, KURNOOL DISTRICT.

4. THE TAHSILDAR, ADONI, KURNOOL 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 to to issue a Writ order or direction, more particularly one in the nature of Writ of Mandamus, Mandamus declaring the action of theand 4th respondents in resorting to assign/allot the Petitioners' house site plot Nos. 14, 62, 12 and 11 respectively Sy. Nos. 210/2,4, 5 and 6 of Petitioners Isvi village, Adoni mandal, by the 4th respondent Kurnool District to third parties, though pattas granted in favour of the petitioners by the then 4th respondent Tahsildar in RCB 295/SA/2013 dated 28.06.2013 are subsisting, only by succumbing to political pressures in flagrant disregard to law, as being illegal, arbitrary and is in violation of Articles 14, 21 and 300-A of the Constitution of India and consequently direct the respondents not to interfere with the peaceful possession and enjoyment of the petitioners over the aforesaid plots by dispossession or otherwise, and pass

IA NO: 1 OF 2018

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 not to interfere with the peaceful possession and enjoyment of the petitioners over the plots bearing Nos. 14, 62, 12 and 11respectively Nos. 210/2,4, 5 and 6 of Petitione Isvi village, Adoni mandal, by the 4th respondent Kurnool District by dispossession or otherwise, pending disposal of the above writ petition and pass

IA NO: 2 OF 2018

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 vacate the interim orders dated: 13-04-2018 passed in I.A.No.01 of 2018 in WP.No.12509 of 2018

Counsel for the Petitioner(S):

1. K V RAGHU VEER

Counsel for the Respondent(S):

1. GP FOR REVENUE (AP)

The Court made the following:

ORDER:

This Writ Petition came to be filed under Article 226 of the Constitution of India, seeking the following prayer:

> "to issue a Writ order or direction, more particularly one in the nature of Writ of Mandamus, Mandamus declaring the action of theand 4th respondents in resorting to assign/allot the Petitioners' house site plot Nos. 14, 62, 12 and 11 respectively Sy. Nos. 210/2,4, 5 and 6 of Petitioners Isvi village, Adoni mandal, by the 4th respondent Kurnool District to third parties, though pattas granted in favour of the petitioners by the then 4th respondent Tahsildar in RCB 295/SA/2013 dated 28.06.2013 are subsisting, only by succumbing to political pressures in flagrant disregard to law, as being illegal, arbitrary and is in violation of Articles 14, 21 and 300-A of the Constitution of India and consequently direct the respondents not to interfere with the peaceful possession and enjoyment of the petitioners over the aforesaid plots by dispossession or otherwise, and pass"

2. Brief facts of the case are that the petitioners were issued D-form pattas for plot Nos.14, 62, 12 and 11 in Sy.Nos.210/2, 4, 5 and 6 of Isvi village, Adoni mandal by the 4th respondent vide proceedings bearing RCB 295/SA/2013, dated 28.06.2013.

3. While the matter stood thus, respondent Nos.3 and 4 are making attempts to assign the subject house sites in favour of third parties due to external pressure. Aggrieved by the same, the petitioners have filed the present petition.

4. When the writ petition came up for admission on 13.04.2018, this Court has passed the following interim order:

> "…I am prima facie satisfied that once the assignment in favour of petitioners is subsisting, neither of the grievances now canvassed in the writ petition can be allowed to be carried out by respondents. Hence, there shall be interim direction as prayed for."

5. The respondent No.4 filed a detailed counter affidavit denying the allegations leveled by the petitioners and that there is no such proposal of assigning the subject lands in favour of third parties. It is further stated that the petitioners' allegations are baseless and that the same are mere apprehensions. As the petitioners have left the lands vacant, which is in violation of the conditions stipulated in the patta, the respondents would follow due process of law while cancelling the pattas issued to the petitioners. Hence requested to dismiss the petition.

6. Heard Sri. K.V. Raghuveer, learned counsel for petitioners and learned Assistant Government Pleader for Revenue.

7. Perused the entire material available on record. It can be observed as per the conditions of the D-form pattas granted in favour of the petitioners in the year 2013, the petitioners are supposed to occupy their house sites within three years by way of constructing a house/hut, however, the counter affidavit states that the said sites are lying vacant on

ground and as such, the petitioners have violated the conditions mentioned in the D-form patta.

8. It is brought to the notice of this Court that pursuant to the interim order granted by this Court, no further action was initiated against the petitioners and that the pattas granted in favour of the petitioners are intact. When it is the contention of the respondents that the petitioners have violated the conditions stipulated in the D-form pattas by not constructing any house/hut in the site allotted to them, it is always open to the respondents to initiate suitable action by duly following the procedure stipulated under law. However, as the D-form pattas granted to the petitioners are still subsisting, there shall be a direction to the respondents not to interfere with the peaceful possession of the house sites allotted in favour of the petitioners herein vide RCB 295/SA/2013, dated 28.06.2013, without following due process of law.

9. Accordingly, this writ petition is disposed of. There shall be no order as to costs.

Consequently, Miscellaneous Petitions, if any, pending in this Petition shall stand closed.

JUSTICE V.SUJATHA

23.06.2026
Gss

Whether the order is :
Speaking Yes/No / Recorded Yes/No
Reportable Yes/No / Non-Reportable Yes/No