APHC010353842026

IN THE HIGH COURT OF ANDHRA PRADESH

AT AMARAVATI **[3311]**

(Special Original Jurisdiction)

Monday, the tenth day of August, two thousand and twenty six

Present

The Honourable Ms. Justice B. S. Bhanumathi

Writ Petition No.19066 of 2026

Between:

M.N. Nouziya, D/o. M.N. Mushkin Khan, Age: 35 years, Occ: Household, R/o. D. No.11-44, Old Kummari Street, Kadiri Town, Sri Satyasai district.

….Petitioner

and

1. The State of Andhra Pradesh, rep. by its Principal Secretary, Revenue Department, Secretariat, Velagapudi, Guntur district.
2. The District Collector, Sri Satya Sai district, Puttaparthi.
3. The Joint Collector, Sri Satya Sai district, Puttaparthi.
4. The Revenue Divisional Officer, Kadiri Town, Sri Satya Sai district.
5. The Mandal Revenue Officer, Kadiri Town, Sri Satya Sai district.

…Respondents

Counsel for the petitioner:

1. Mohammed Gayasuddin

Counsel for the respondents:

1. G.P. for Revenue

The Court made the following:

ORDER:

This writ petition under Article 226 of the Constitution of India is filed to issue a writ, order or direction, more particularly, one in the nature of a writ of Mandamus, to declare the actions of respondents Nos.2 to 5 in attempting to enter, survey, layout, encroach, or construct the Stothradri Giri Pradakshina road over the private scheduled land of Ac.1.65 cents in Sy. No. 1504-4A, Kadiri village and mandal, Sri Sathya Sai district, without following the due procedure of law as arbitrary, illegal, unconstitutional, and is direct violation of Article 300-A of the Constitution of India; and principles of natural justice and consequently, direct the respondents to completely clear out their road alignments from the petitioner's scheduled property boundaries as stated supra, or alternatively, restrain them from entering the land until a lawful acquisition under the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013 is fully executed with just compensation and pass such other order or orders as this Court may deem fit just and proper.

2. The case of the petitioner, briefly stated, is as follows:-

The petitioner is the absolute and lawful owner and in exclusive physical possession of the subject property. The grievance of the writ petitioner is that the respondents are attempting to forcibly dispossess the petitioner from the subject land without following the due process of law.

3. The learned Assistant Government Pleader for Revenue placed on record a copy of the written instructions of respondent No.5 vide Rc. No. A/200/2026, dated 15.07.2026, wherein it was mainly stated as follows:-

> "…The allegation that the Tahsildar or revenue staff have illegally entered upon the petitioner's land and attempted to dispossess her is denied. No portion of the petitioner's land has been acquired or taken possession of by the Tahsildar. No demolition or permanent construction has been undertaken by the Tahsildar in the petitioner's land. Revenue officials discharge only statutory duties such as survey, field verification, demarcation and furnishing reports whenever instructed by the competent authority.
>
> The petitioner has approached the High Court merely on the basis of apprehension without any final order of acquisition or dispossession by the Tahsildar. The petitioner has not challenged any statutory proceedings issued by the Tahsildar. No notice of acquisition has been issued by this office.
>
> Further, respondent No.5 has acted strictly in accordance with law and has neither violated Article 300-A of the Constitution nor deprived the petitioner of possession. No rights of the petitioner have been interfered with by respondent No.5 except discharge of statutory functions, if any."

4. In view of the above written instructions as part of this order, the learned counsel for the petitioner requested to dispose of the writ petition recording the written instructions.

5. Accordingly, recording the written instructions, this writ petition is disposed of directing the respondents that in case, the land of the

petitioner is required for any public purpose, the respondents shall follow the due procedure established by law.

There shall be no order as to costs.

Pending miscellaneous petitions, if any, shall stand closed.

B. S. BHANUMATHI, J

Dt. 10.08.2026
RAR

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