APHC010362272026

IN THE HIGH COURT OF ANDHRA PRADESH
AT AMARAVATI **[3330]**
(Special Original Jurisdiction)

FRIDAY, THE 17th DAY OF JULY 2026

PRESENT

THE HONOURABLE SRI JUSTICE TARLADA RAJASEKHAR RAO

WRIT PETITION NO: 19488/2026

Between:

1. PALUKURU VENKATA SUBBA RAO,, S/O GURAVAIAH, AGED ABOUT 77 YEARS, R/O D.NO 12/669, VASAVI NAGAR, PORUMAMILLA, YSR KADAPA DISTRICT

...PETITIONER

AND

1. THE STATE OF ANDHRA PRADESH, REP. BY ITS PRINCIPAL SECRETARY, ROADS AND BUILDING DEPARTMENT, A.P. SECRETARIAT VELAGAPUDI, AMARAVATI, GUNTUR DISTRICT-522238
2. THE DISTRICT COLLECTOR, YSR KADAPA DISTRICT-516004
3. THE EXECUTIVE ENGINEER, ROADS AND BUILDING DEPARTMENT, YSR KADAPA DISTRICT AT KADAPA-516001
4. THE DEPUTY EXECUTIVE ENGINEER, ROADS AND BUILDING DEPARTMENT, YSR KADAPA DISTRICT AT BADVEL.-516227
5. THE ASSISTANT EXECUTIVE ENGINEER, ROADS AND BUILDING DEPARTMENT, YSR KADAPA DISTRICT AT KADAPA-516001

...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 appropriate Writ, Order, or Direction, preferably one in

the nature of a Writ of Mandamus, declaring the action of Respondent No. 4 and 5 in taking steps to demolish the shops of the Petitioner bearing D.No. 12/495-C and 12/493-A in Porumammila town and Mandal, YSR Kadapa District without issuance of notice and payment of compensation as arbitrary, illegal, unwarranted, unsustainable, and violative of Articles 14, 19(1)(g), 21, and 300-A of the Constitution of India, contrary to Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013 and consequently direct the Respondents not dispossess the Petitioner from the subject shops without following due process of law and pass

IA NO: 1 OF 2026

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 pleased to direct the Respondents not to dispossess the Petitioner including demolition of the shops bearing D.No. 12/495-C and 12/493-A in Porumammila town and Mandal, YSR Kadapa District and to pass

Counsel for the Petitioner:

1. SODUM ANVESHA

Counsel for the Respondent(S):

1. GP FOR ROADS BUILDINGS
2. GP FOR REVENUE

The Court made the following:

THE HONOURABLE SRI JUSTICE TARLADA RAJASEKHAR RAO

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ORDER:

The present Writ Petition is filed under Article 226 of the Constitution of India seeking the following relief:

> *"…*to issue an appropriate Writ, Order, or Direction, preferably one in the nature of a Writ of Mandamus, declaring the action of Respondent No. 4 and 5 in taking steps to demolish the shops of the Petitioner bearing D.No.12/495-C and 12/493-A in Porumammila town and Mandal, YSR Kadapa District, without issuance of notice and payment of compensation as arbitrary, illegal, unwarranted, unsustainable, and violative of Articles 14, 19(1)(g), 21, and 300-A of the Constitution of India, contrary to Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013 and consequently direct the Respondents not dispossess the Petitioner from the subject shops without following due process of law and pass such order or orders.…"

2. Heard learned counsel for the petitioner and learned Assistant Government Pleader appearing on behalf of respondents.

3. The Writ of Mandamus is filed challenging the action of respondent Nos.4 and 5 in taking steps to demolish the petitioner's shops bearing D.No.12/495 (presently D.No.12/495-C) and D.No.12/493 (presently D.No.12/493-A), situated at Porumammila town and Mandal, YSR Kadapa District, on the ground that the said action is illegal, arbitrary and violative of Articles 14, 19(1)(g), 21 and 300A of the Constitution of India.

4. It is the contention of the petitioner that the subject properties belong to the petitioner. The petitioner purchased the properties under registered sale

deed bearing Nos.1952 of 2005, dated 28.11.2005, and 1126 of 2005 dated 01.08.2005. Since then, the petitioner has been in peaceful possession and enjoyment of the properties. However, the respondents are now trying to evict the petitioner without following due process of law.

5. Learned Assistant Government Pleader for Roads and Buildings furnished written instructions dated 16.07.2026 addressed by the Executive Engineer, (R&B) Division, Kadapa, to the Government Pleader Office, R&B Department, High Court of Andhra Pradesh. The said instructions indicate that the respondent authorities have not taken any steps for demolition of the structures belonging to the petitioner. It is further stated that if the Department undertakes any works affecting the petitioner's structures, it shall do so only by following the due process of law.

6. Pursuant to the said written instructions, the present Writ Petition is disposed of at the admission, directing the respondents to follow due process of law, if the property is required for any public purpose. There shall be no order as to costs.

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

JUSTICE TARLADA RAJASEKHAR RAO

Date: 17.07.2026

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THE HON'BLE SRI JUSTICE TARLADA RAJASEKHAR RAO

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Date: 17.07.2026

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