APHC010382942026

IN THE HIGH COURT OF ANDHRA PRADESH
AT AMARAVATI **[3457]**
(Special Original Jurisdiction)

THURSDAY, THE 23rd DAY OF JULY 2026

PRESENT

THE HONOURABLE SRI JUSTICE HARINATH.N

WRIT PETITION NO: 20485/2026

Between:

1. PERLA JYOTHI, W/O. PERLA VENKAA SWAMY AGED ABOUT 42 YEARS, OCC AGRICULTURE COOLY, R/O. 14-27-1/1, VIKAS NAGAR, DHOBI GHAT, GAJUWAKA POST, PEDAGANTYADA MANDAL, VISAKHAPATNAM DISTRICT.
2. PERLA VENKATA SWAMY, S/O. LATE P. CHINNA SATTAYYA AGED ABOUT 48 YEARS, OCC FISHERMEN, R/O. 14-27-1/1, VIKAS NAGAR, DHOBI GHAT, GAJUWAKA POST, PEDAGANTYADA MANDAL, VISAKHAPATNAM DISTRICT.

...PETITIONER(S)

AND

1. THE STATE OF ANDHRA PRADESH, REP. BY ITS PRINCIPAL SECRETARY, MUNICIPAL ADMINISTRATION AND URBAN DEVELOPMENT DEPARTMENT, SECRETARIAT, VELAGAPUDI, AMARAVATHI, GUNTUR DISTRICT. 522238
2. THE GREATER VISAKHAPATNAM MUNICIPAL CORPORATION, REP. BY ITS COMMISSIONER, VISAKHAPATNAM, VISAKHAPATNAM DISTRICT. - 530001
3. THE DISTRICT COLLECTOR, VISAKHAPATNAM, VISAKHAPATNAM DISTRICT.-530001
4. THE SPECIAL GRADE DEPUTY COLLECTOR, (LAND ACQUISITION) STEEL PLANT, COLLECTOR OFFICE, VISAKHAPATNAM, VISAKHAPATNAM DISTRICT - 530001
5. THE JOINT COLLECTOR, VISAKHAPATNAM, VISAKHAPATNAM - 530001
6. THE REVENUE DIVISIONAL OFFICER, VISAKHAPATNAM COLLECTOR OFFICE COMPOUND, , VISAKHAPATNAM, VISAKHAPATNAM DISTRICT. - 530001
7. THE TAHSILDAR, PEDAGANTYADA MANDAL, VISAKHAPATNAM DISTRICT.- 530044

...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 topleased to issue an appropriate Writ, Order or Direction, more particularly one in the nature of Writ of Mandamus, declaring the action of the respondents, particularly respondents 2 to 5 and their subordinate officials, in attempting to interfere with the peaceful possession and enjoyment of the petitioners over the residential house and house-site property situated in

Survey No.64/1 D, admeasuring approximately 300 square yards, situated at Vikas Nagar, Dhobi Ghat, Gajuwaka Post, Pedagantyada Mandal, Visakhapatnam District, and in attempting to demolish the petitioners' residential house and compound wall and dispossess/evict the petitioners without issuing notice, without providing an opportunity of hearing and without following the due process of law, as illegal, arbitrary, discriminatory, unconstitutional and violative of Articles 14, 21 and 300-A of the Constitution of India and contrary to the judgment and directions issued by this Hon'ble Court in W.P.No.11040 of 2024, and consequently direct the respondents not to interfere with the petitioners' peaceful possession and enjoyment of the subject property and not to demolish the petitioners' residential house and compound wall or dispossess/evict the petitioners except by following the due process of law and after issuing due notice, providing an opportunity of hearing and passing a reasoned order in accordance with law, and further direct the respondents to consider the petitioners' representation dated 21.07.2026 in accordance with law,

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, particularly respondents 2 to 5 and their subordinate officials, not to interfere with the peaceful possession and enjoyment of the petitioners over the residential house, compound wall and house-site property situated in Survey No.64/1 D, admeasuring approximately 300 square yards, situated at Vikas Nagar, Dhobi Ghat, Gajuwaka Post, Pedagantyada Mandal, Visakhapatnam District, and not to demolish the petitioners' residential house and compound wall or dispossess/evict the petitioners in any manner, either directly or indirectly, pending disposal of the Writ Petition, except by following the due process of law and in compliance with the directions issued by this Hon'ble Court in W.P.No.11040 of 2024,

Counsel for the Petitioner(S):

1. PAMARTHI KAMESWARA RAO

Counsel for the Respondent(S):

1. GP FOR LAND ACQUISITION
2. GP FOR REVENUE
3. GP MUNCIPAL ADMN AND URBAN DEV AP

The Court made the following:

THE HONOURABLE SRI JUSTICE HARINATH.N
WRIT PETITION No.20485 of 2026

ORDER:

1. The petitioners are aggrieved by the action of the respondent authorities in attempting to dispossess them from their respective house properties, each admeasuring 300 square yards, situated at Vikas Nagar, Dhobi Ghat, Gajuwaka Post, Pedagantyada Mandal, Visakhapatnam District.
2. The learned counsel appearing for the petitioners submits that the petitioners have been residing in the said properties for the last 26 years. It is further submitted that, when similar attempts were made by the respondent authorities, the 1st petitioner, along with others, filed W.P. No.11040 of 2024, wherein this Court directed the respondent authorities to follow due process of law before dispossessing the petitioners from their house sites.
3. The learned Standing Counsel appearing for respondent No.2 submits that the petitioners have no title over the subject property and they are encroachers. It is further submitted that the subject property is vacant land and that there are no constructions thereon and the petitioners are only attempting to strengthen their claim over the property by filing the present writ petition.
4. The learned Assistant Government Pleader appearing for respondent Nos.1, 3, and 4 to 7, on written instructions, submits that the petitioners are in occupation of land admeasuring 300 square yards, which has already been allotted to the affected families whose properties were

acquired for the Steel Plant Project at Visakhapatnam. It is further submitted that the petitioners are encroachers upon the said land and that the respondent authorities shall issue notices to the petitioners informing them that they are unauthorized occupants of the property and calling upon them to produce title documents, if any, in support of their claim. It is further submitted that, after affording the petitioners an opportunity of being heard, appropriate action shall be taken for their eviction from the subject property, in accordance with law.

5. Recording the submissions made by the learned counsel on either side, this Court considers it appropriate to dispose of the writ petition at the stage of admission with the following directions:

    i. The respondent authorities shall issue notices to the petitioners informing them of the alleged encroachment and calling upon them to submit their title documents, if any. Upon receipt of the petitioners' reply, the respondent authorities shall consider the same, pass appropriate orders in accordance with law, and thereafter take such further steps as may be warranted for reclaiming the encroached land.

6. With the above directions, the writ petition is disposed off. There shall be no order as to costs.

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

JUSTICE HARINATH.N

23.07.2026
KGM

106

THE HONOURABLE SRI JUSTICE HARINATH.N

WRIT PETITION No.20485 of 2026

Dated 23.07.2026

KGM