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

WEDNESDAY, THE EIGHTH DAY OF JANUARY
TWO THOUSAND AND TWENTY FIVE

PRESENT

HON'BLE SRI JUSTICE GANNAMANENI RAMAKRISHNA PRASAD

WRIT PETITION NO: 700 OF 2025

Between:

Pala Srinivasulu Reddy, S/o. Late Radhaiah, Aged 59 years, Cultivation R/o. Flat No. 304, Srivari Enclave, Kondbalaramireddy Street, Kranthi Nagar, SPSR Nellore Dist.

...PETITIONER

AND

1. The State of Andhra Pradesh, Rep by its Principal Secretary, Revenue Department, Secretariat Bldgs, Velgapudi, Amaravati Guntur District.
2. The District Collector, Nellore, SPSR Nellore Dist.
3. The Revenue Divisional Officer, Nellore, SPSR Nellore District.
4. The Thasildar, Buchireddypalem Mandal, SPSR Nellore District.

...RESPONDENTS

Petition under Article 226 of the Constitution of India is filed praying that in the circumstances stated in the affidavit filed therewith, the High Court may be pleased to issue a writ, order or direction more particularly one in the nature of Writ of Mandamus, to declare the proceedings of the Thasildar, Buchireddypalem Mandal passed in D Dis No. D Dis No. B157/23 dated 31.12.2024 by ordering the Mandal Revenue Inspector to take over possession and demolish the structures thereon made in the Sy Nos. 197/1B1 - Ac. 0.01 Cents and Sy No. 197/1B3 Ac. 0.03 cents situated at Rebala Village, Buchireddypalem Mandal, SPSR Nellore District amounts to erroneous, arbitrary and violative of Articles 14 and 21 of the Constitution of

India besides being violative of principles of natural justice and consequently set aside the same by allowing the writ petition in the interest of justice.

IA NO: 1 OF 2025

Petition under Section 151 CPC is filed praying that in the circumstances stated in the affidavit filed in support of the petition, the High Court may be pleased to stay the operation of the order passed by the Thasildar, Buchireddypalem Mandal vide Proceedings D Dis No. B.157/2023 Dated 31.12.2024 for the lands in Sy Nos. 197/1B1 - Ac. 0.01 Cents and Sy No. 197/1B3 Ac. 0.03 cents situated at Rebala Village, Buchireddypalem Mandal, SPSR Nellore District pending disposal of the above Writ petition in the interest of justice.

Counsel for the Petitioner: SRI T C KRISHNAN

Counsel for the Respondents: GP FOR REVENUE

The Court made the following: ORDER

APHC010014432025

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

[0]

WEDNESDAY ,THE EIGHTH DAY OF JANUARY
TWO THOUSAND AND TWENTY FIVE

PRESENT

THE HONOURABLE SRI JUSTICE GANNAMANENI RAMAKRISHNA PRASAD

WRIT PETITION NO: 700/2025

Between:

1. PALA SRINIVASULU REDDY, S/O. LATE RADHAIAH, AGED 59 YEARS, CULTIVATION R/O. FLAT NO. 304, SRIVARI ENCLAVE, KONDBALARAMIREDDY STREET, KRANTHI NAGAR, SPSR NELLORE DIST.

...PETITIONER

AND

1. THE STATE OF ANDHRA PRADESH, REP BY ITS PRINCIPAL SECRETARY, REVENUE DEPARTMENT, SECRETARIAT BLDGS, VELGAPUDI, AMARAVATI GUNTUR DISTRICT.
2. THE DISTRICT COLLECTOR, NELLORE, SPSR NELLORE DIST.
3. THE REVENUE DIVISIONAL OFFICER, NELLORE, SPSR NELLORE DISTRICT.
4. THE THASILDAR, BUCHIREDDYPALEM MANDAL, SPSR NELLORE DISTRICT.

...RESPONDENT(S):

Counsel for the Petitioner:

1. T C KRISHNAN

Counsel for the Respondent(S):

1.GP FOR REVENUE

The Court made the following ORAL ORDER:

Heard Sri T.C. Krishnan, learned Counsel for the Writ Petitioner and Sri K. Arjun Chowdary, learned Assistant Government Pleader for Revenue, Land Acquisition, Stamps & Registration.

2. Learned Counsel for the Writ Petitioner has drawn the attention of this Court to the to the Impugned Notice dated 31.12.2024 with regard to the encroachment of land of an extent of Ac.0.01 cent in Sy.No.197-1B2 and Ac.0.03 cents in Sy.No.197-1B3.

3. Learned Counsel for the Writ Petitioner has also drawn the attention of this Court to the Impugned Order, which is passed on 31.12.2024 (Ex.P.1), where a direction was given to the Mandal Revenue Inspector to clear the encroachment. He had also drawn the attention of this Court to the incorrect description of the survey number in respect of Ac.0.01 cent as Sy.No.197-1B1 instead of Sy.No.197-1B2. The Impugned Order dated 31.12.2024 (Ex.P.1) also indicates that 60 days time shall be granted to the Writ Petitioner for filing the statutory Appeal.

4. In this view of the matter, since the statutory period for filing an Appeal is 60 days, there shall be a direction to the Official Respondents not to initiate any coercive steps till the completion of 60 days period in order to enable the Writ Petitioner to file an Appeal. After expiry of 60 days period, there shall be a direction suspending the part of the Impugned Order insofar as Ac.0.01 cent in Sy.No.197/1B1 is concerned for further period of four weeks for consideration of Interlocutory Application/s, if any. This Order shall not preclude the Respondent Authorities in withdrawing incorrect portion of the Order and issue fresh Order, in which event, it is needless to state that the period of limitation will count from the date of receipt of said Order by the Writ Petitioner.

5.With these observations and directions, this Writ Petition stands disposed of. No order as to costs.

6.Interlocutory Applications, if any, stand closed in terms of this order.

//TRUE COPY//

SD/- M.PRABHAKARA RAO
ASSISTANT REGISTRAR

SECTION OFFICER

To,

1. The Principal Secretary, Revenue Department, Secretariat Bldgs, Velgapudi, Amaravati Guntur District, State of Andhra Pradesh.
2. The District Collector, Nellore, SPSR Nellore Dist.
3. The Revenue Divisional Officer, Nellore, SPSR Nellore District.
4. The Thasildar, Buchireddypalem Mandal, SPSR Nellore District.
5. One CC to Sri T C Krishnan Advocate [OPUC]
6. Two CCs to GP for Revenue, High Court of Andhra Pradesh. [OUT]
7. Three CD Copies

TF

HIGH COURT

DATED:08/01/2025

ORDER

WP.No.700 of 2025



DISPOSING OF THE W.P., WITHOUT COSTS