IN THE HIGH COURT OF ANDHRA PRADESH :: AMARAVATI

(Special Original Jurisdiction)

WEDNESDAY, THE TWELFTH DAY OF MARCH

TWO THOUSAND AND TWENTY FIVE

PRESENT

THE HONOURABLE SMT JUSTICE SUMATHI JAGADAM

WRIT PETITION NO: 6348 OF 2025

Between:

P Rama Chandra Reddy, Late P. Lakshma Reddy, Aged about 75 years, Occ Member of Legislative Assembly R/o D.No.23/10/50/2, New Maruthi Nagar, Near SEICOM College, M.R. Palli, Tirupati.

...PETITIONER

AND

1. The State of Andhra Pradesh, Rep. by its Principal Secretary Endowments Department Secretariat building, Velagapudi, Guntur.
2. The Commissioner, Endowments Department, Government of Andhra Pradesh, Vijayawada.
3. The Assistant Commissioner, Endowments Department, Chittoor District.
4. The Asst. Commissioner and Executive Officer, Sri Bugga Matt, Tirupati, Chittoor 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 declaring the action of the in issuing the Notice Rc.No.7/2025 Dated 07.03.2025 by the 4th respondent as illegal, arbitrary, unlawful and without Jurisdiction and violative of Articles 14, 21 and 300-A of Constitution of India and consequently set aside the same.

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 all further proceedings pursuant to No-tice Rc.No.7/2025 Dated: 07.03.2025 issued by the 4th respondent.

Counsel for the Petitioner:SRI. K NARSI REDDY

Counsel for the Respondents: GP FOR ENDOWMENTS

The Court made the following ORDER:

APHC010125972025

IN THE HIGH COURT OF ANDHRA PRADESH AT AMARAVATI **[3459]**
(Special Original Jurisdiction)

WEDNESDAY ,THE TWELFTH DAY OF MARCH
TWO THOUSAND AND TWENTY FIVE

PRESENT

THE HONOURABLE SMT JUSTICE SUMATHI JAGADAM

WRIT PETITION NO: 6348/2025

Between:

P. Rama Chandra Reddy

...PETITIONER

AND

The State Of Andhra Pradesh and Others

...RESPONDENT(S)

Counsel for the Petitioner:

1. K NARSI REDDY

Counsel for the Respondent(S):

1. GP FOR ENDOWMENTS

The Court made the following ORDER:

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

"...to issue a Writ, Order or Direction, more particularly one in the nature of Writ of Mandamus declaring the action of the 4th respondent in issuing the notice vide Rc.No.7/2025.

dated 07.03.2025, as illegal, arbitrary, unlawful and without jurisdiction and violative of Articles 14, 21 and 300-A of Constitution of India and consequently, set aside and same and pass..."

2. Heard Sri C.V. Mohan Reddy, learned Senior Counsel, appearing on behalf of the petitioner, and Sri Dammalapati Srinivas, learned Advocate General, appearing on behalf of the respondents.

3. The case of the petitioner, in brief, is that he is the owner and possessor of land measuring Ac.0.40 cents in Sy.No.261/1 and Ac.1.38 cents in Sy.No.314/2, purchased through a registered sale deed, dated 03.04.1991 (Doc.No.1297/1991), from Sri Degala Venkatesam. Additionally, the petitioner purchased land measuring Ac.0.40 cents in Sy.No.261/1 and Ac.1.38 cents in Sy.No.314/2 through another registered sale deed, dated 04.04.1991 (Doc. No. 1337/1991), located in Maruthinagar Extension, M.R. Pally, Tirupati.

4. The petitioner constructed a house on the aforementioned land in 2004 after obtaining the necessary permissions from the competent authority. Learned Senior Counsel further submits that the petitioner's vendors were the lessees of Sri Bugga Muth and that the 1st respondent, *via* G.O.Ms.No.988, dated 30.11.1990, permitted sale of the aforementioned lands to the petitioner, who subsequently

partitioned the lands among themselves. The petitioner then purchased the land from them through the aforesaid registered sale deeds.

5. The present writ petition is filed questioning the impugned notice, dated 07.03.2025, issued to the petitioner, alleging that the petitioner has encroached the land admeasuring Ac.1.50 cents in Sy.No.261/1 and land admeasuring Ac.2.38 cents in Sy.No.261/2 belongs to Sri Bugga Muth. Learned Senior Counsel submits that the petitioner purchased the land in 1991 and has been in peaceful possession and enjoyment of it without any dispute. The petitioner has documents to prove his ownership and submits that his family members have land to various extents with different survey numbers. He contends that the impugned notice was issued due to a change in the political scenario.

6. Learned Senior Counsel submits that, by virtue of the impugned notice issued to the petitioner, the respondents may enter the petitioner's land and evict him using police force. He sought to suspend the impugned notice, dated 07.03.2025 (Rc.No.7/2025).

7. On the other hand, the learned Advocate General, appearing for the respondents, states that, *prima facie*, the writ petition is not maintainable as it is still at the notice stage and the petitioner can submit his explanation within seven (7) days. Furthermore, it is

submitted that the petitioner is in illegal possession without any valid right. The learned Advocate General emphasizes that the petitioner can submit his explanation in response to the impugned notice.

8. On perusing the records, it is evident that the petitioner has been in possession of the land for more than 34 years. The petitioner purchased land admeasuring Ac.0.40 cents in Sy.No.261/1 on 03.04.1991, and another land admeasuring Ac.0.40 cents in Sy.No. 261/1 on 04.04.1991. In total, the petitioner owns Ac.0.80 cents in Sy. No.261/1.

9. In light of the submissions made by learned Senior Counsel representing the petitioner and learned Advocate General representing the respondents, this Court finds it appropriate to direct the petitioner to submit his explanation along with supporting documents within ten (10) days from today. Thereafter, the respondents shall consider the explanation and issue appropriate orders within three (3) weeks, after providing an opportunity for the petitioner to be heard. Upon such hearing, the respondents shall issue a detailed order and communicate it to the petitioner as soon as possible. Additionally, the respondents are directed not to take any coercive steps for a period of ten (10) days only, to avail the remedy open for the petitioner.

10. With the above directions, the present Writ Petition is disposed of. There shall be no order as to costs.

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

Sd/- M. SRINIVAS
ASSISTANT REGISTRAR

//TRUE COPY//

SECTION OFFICER

To,

1. The Principal Secretary Endowments Department, State of Andhra Pradesh, Secretariat building, Velagapudi, Guntur.
2. The Commissioner, Endowments Department, Government of Andhra Pradesh, Vijayawada.
3. The Assistant Commissioner, Endowments Department, Chittoor District.
4. The Asst. Commissioner and Executive Officer, Sri Bugga Matt, Tirupati, Chittoor District.
5. One CC to SRI. K NARSI REDDY, Advocate [OPUC]
6. Two CCs to GP FOR ENDOWMENTS, High Court Of Andhra Pradesh. [OUT]
7. Three CD Copies

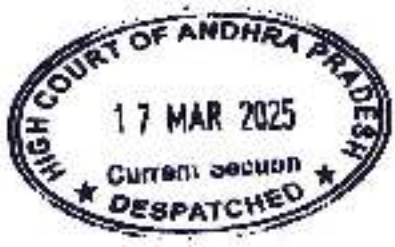
PRK

HIGH COURT

DATED:12/03/2025

ORDER

WP.No.6348 of 2025



DISPOSING OF THE W.P. WITHOUT COSTS