



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

[3208]

WEDNESDAY, THE FIFTH DAY OF NOVEMBER
TWO THOUSAND AND TWENTY FIVE

PRESENT

THE HONOURABLE SRI JUSTICE D RAMESH

WRIT PETITION NO: 29589/2025

Between:

1. YELLAPU SIVA RAMA KRISHNA, S/O. LATE Y.KONDALARAO, AGED ABOUT- 47 YEARS, R/O.DOOR NO. 14-08-19, MAIN ROAD, ANAKAPALLI ANAKAPALLI DISTRICT.
2. YELLAPU MALATHI, W/O. SIVA RAMA KRISHNA ABOUT 47 YEARS, R/O.DOOR NO. 14-08-19, MAIN ROAD, ANAKAPALLI, ANAKAPALLI DISTRICT.

...PETITIONER(S)

AND

1. THE RAILWAY BOARD, REP BY ITS CHAIRMAN AND CEO, RAIL BHAVAN, NEW DELHI-110001.
2. THE DISTRICT COLLECTOR, ANAKAPALLI, ANAKAPALLI DISTRICT.
3. LAND ACQUISITION OFFICER AND REVENUE DIVISIONAL OFFICER, ANAKAPALLI, ANAKAPALLI DISTRICT.
4. THE TAHSILDAR, ANAKAPALLI MANDAL, ANAKAPALLI DISTRICT.
5. VILLAGE REVENUE OFFICER, RAJUPALEM REVENUE VILLAGE, ANAKAPALLI MANDAL AND DISTRICT.
6. THE EXECUTIVE ENGINEER, R AND B, ANAKAPALLI, ANAKAPALLI DISTRICT.
7. THE DISTRICT REGISTRAR, ANAKAPALLI, ANAKAPALLI DISTRICT.
8. RAYAVARAPU BHASKAR, S/O.R.NARSINGA RAO AGED ABOUT, 28 YEARS, R/O.H.NO.15-6-1, NEAR RAITHU BAZAR, GAVARAPALEM, ANAKAPALLI, ANAKAPALLI DISTRICT. (THE 8TH RESPONDENT HEREIN IS A PROFARMA PARTY AND NO RELIEF IS CLAIMED AGAINST HIM)

...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 order, direction or writ more particularly one in the nature of WRIT OF MANDAMUS i. declaring that the impugned general notification issued in the caption of Confirmation Notice (Roodi Prakatana in by the 2nd respondent / the District Collector, Telugu Anakapalle in Computer. No.10757/2022/GI dt. 15-11-2024 as published in Eenadu Telugu Daily Newspaper, u/s.19(l) of the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013 (Act 30 of 2013) issued and any proceedings either preceding or subsequent to the said notification as illegal, unlawful, arbitrary, malicious and a clear case of capricious exercise of power and violative of the provisions of the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013 (Act 30 of 2013) and violative of Art. 300A, 21, 14 and 16 of the Constitution of India and also violative of provisions of Act 30 of 2013 and principles of natural justice and consequently set aside the same and pass

IA NO: 1 OF 2025

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 to grant stay of all further proceedings, including the eviction of the Petitioners from their RCC building in door No. 26-28-30, measuring an extent of 267 sq.yds situated in Survey No.62/3A in Kothuru Narsingarao Pet, Village and Post, Rajupalem Road, Anakapalli Mandal and District-531019 (formerly Visakhapatnam District), the Greater Visakhapatnam Municipal Corporation limits, Visakhapatnam, pending disposal of the writ petition in the interest of equity and justice and pass

Counsel for the Petitioner(S):

1.P VEERRAJU

Counsel for the Respondent(S):

1.GP FOR ROADS BUILDINGS

2.GP FOR LAND ACQUISITION

3.GP FOR REVENUE

4.

The Court made the following:

ORDER:

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

“to issue any writ, order or direction more particularly one in the nature of Writ of Mandamus or an appropriate writ or order i. declaring that the impugned general notification issued in the caption of Confirmation Notice (Roodi Prakatana in by the 2nd respondent/the District Collector, Telugu Anakapalle in Computer. No.10757/2022/GI dt. 15-11-2024 as published in Eenadu Telugu Daily Newspaper, u/s.19(l) of the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013 (Act 30 of 2013) issued and any proceedings either preceding or subsequent to the said notification as illegal, unlawful, arbitrary, malicious and a clear case of capricious exercise of power and violative of the provisions of the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013 (Act 30 of 2013) and violative of Art. 300A, 21, 14 and 16 of the Constitution of India and also violative of provisions of Act 30 of 2013 and principles of natural justice and consequently set aside the same and pass....”

2. Heard Sri P.Veerraju, learned counsel for the petitioners, learned Assistant Government Pleader appearing for respondents.
3. Learned counsel for the petitioners contended that though the property of the petitioners was not in the notification under Section 11(1) of the Land Acquisition Act, but the respondents are trying to acquire the land without giving any opportunity and without passing any award in favour of the petitioners. Hence the Writ Petition.
4. After filing the writ Petition, learned Assistant Government Pleader has got instructions from the Tahsildar and according to the

instructions, the property in an extent of 267 sq. yards in Sy.No.62/3A in Kothuru Narasingaraopeta Village and Post, Anakapalle Mandal is not covered under the award passed under Section 21(1) & 22 and 21(4) & 22 of Act 30 of 2013.

5. In view of the same, there shall be a direction to the respondents not to interfere and not to dispossess the petitioners from the subject property without following due process of law.

6. With the above observation, the Writ Petition is disposed of. No costs.

As a sequel thereto, interlocutory applications pending, if any, in the writ petition, shall also stand closed.

JUSTICE D.RAMESH

05.11.2025
RD

THE HONOURABLE SRI JUSTICE D.RAMESH

WRIT PETITION NO.29589 OF 2025

05.11.2025

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