IN THE HIGH COURT FOR THE STATE OF TELANGANA
AT HYDERABAD
(Special Original Jurisdiction)

FRIDAY, THE FIRST DAY OF AUGUST
TWO THOUSAND AND TWENTY FIVE

PRESENT

THE HONOURABLE SRI JUSTICE K.LAKSHMAN

WRIT PETITION NO: 22604 OF 2025

Between:

Chappidi Venkat Reddy, S/o. Ram Reddy, Age 60 years, Occ.Agriculture, R/o. H.No.1-4-249/101/A3, Balajinagar, Near Veerabhadra Swamy Temple, Suryapet Town, Suryapet District.

...PETITIONER

AND

1. The State of Telangana, Rep. by its Principal Secretary, Revenue Department, Secretariat, Hyderabad.
2. The District Collector, Suryapet District, at Suryapet.
3. The Revenue Divisional Officer, Suryapet Division, Suryapet, Suryapet District.
4. The Tahsildar, Chivvemla Mandal, Suryapet District.

...RESPONDENTS

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 more particularly one in the nature of Writ of Mandamus declaring the Proceedings No.B/Prajavatni/191/2024 dated 7-04-2025 of the respondent No.4 and in not considering petitioner's representation dated 23-5-2025 and in not clearly illegal encroachments over existing 18 feet road consisting in Sy.No.76, 49, 50 and 51 situated ate Ailapuram Village, Chivvemla Mandal, Suryapet District as illegal, arbitrary, contrary to the settled principles of law apart from violation of principles of natural justice and consequently direct the respondents to forthwith consider the petitioner's representation dated 23-5-2025 and forthwith clear illegal encroachment over the road consisting in Sy.No.76, 49, 50 and 51 situated ate Ailapuram Village, Chivvemla Mandal, Suryapet District.

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 direct the respondents to forth with restore existing 18 feet road in Sy.No.76, 49, 50 and 51 situated ate Ailapuram Village, Chivvemla Mandal, Suryapet District by setting aside endorsement of respondent No.4 in Proceedings No. B/Prajavatni/191/2024 dt. 7-04-2025 pending disposal of the above writ petition.

Counsel for the Petitioner: SRI B.SUDHIR BABU
Counsel for the Respondents: SRI L.RAVINDER, AGP FOR REVENUE

The Court made the following: ORDER

THE HON'BLE SRI JUSTICE K. LAKSHMAN

WRIT PETITION No. 22604 of 2025

ORDER:

Heard Sri B. Sudhir Babu, learned counsel for petitioner and Sri L. Ravinder, learned Assistant Government Pleader for Revenue appearing for respondents.

2. Petitioner herein is claiming that he is the absolute owner and possessor of agricultural land admeasuring Acs.3.06 guntas in Survey Nos.49, 51 situated at Ailapuram Village, Chivvemla Mandal, Suryapet District. It is his ancestral property. There is an existing 18 feet road in Survey Nos.76, 49, 50 and 51 proceeding through a canal bund and it is a Government land. The petitioner and other agriculturists are using the said road to go to their agricultural fields. However, some third parties encroached upon the said road. Thus, the petitioner and other agriculturists are unable to proceed with the agricultural operations in their lands. Therefore, the petitioner has submitted a representation dated 23.05.2025 to 4th respondent, Tahsildar, Chivvemla Mandal, Suryapet District, with a request to survey and fix boundaries

in respect of the road in the aforesaid Survey Numbers proceeding through a canal bund. *Vide* endorsement dated 07.04.2025, 4th respondent rejected the aforesaid representation submitted by the petitioner by stating that the excess land is not recorded as a stream in the map as such it is not possible to conduct survey and fix boundaries. Challenging the said endorsement dated 07.04.2025 issued by 4th respondent, petitioner filed the present Writ Petition.

3. Placing reliance on the judgments of the Apex Court in **Sree Swayam Prakash Ashramam and another v. G. Anandavally Amma and others**[1] and the High Court of Andhra Pradesh at Amaravathi, in **Bale Nageswara Rao and others v. State of Andhra Pradesh and others**[2], learned counsel for the petitioner would contend that 4th respondent did not consider the easementary rights of the petitioner in the impugned endorsement dated 07.04.2025.

4. It is relevant to note that if the petitioner is having any issue with regard to his easementary rights, he has to approach the civil Court. However, 4th respondent being Tahsildar

[1] 2010(2) ALD 60 (SC)
[2] 2023(4) ALD 693 (AP)

cannot go into the aspect of easementary rights of the petitioner. Further, the afore-cited judgments are not applicable to the case of the petitioner herein. The petitioner failed to make out any case so as to interfere with the impugned endorsement dated 07.04.2025 issued by 4th respondent. Hence, this Writ Petition is liable to be dismissed.

5. Accordingly, this Writ Petition is dismissed. However, liberty is granted to the petitioner to take steps in accordance with law. There shall be no order as to costs.

Miscellaneous applications, if any pending, shall stand closed.

SD/- S.MALLIKARJUNA RAO
ASSISTANT REGISTRAR

//TRUE COPY//

SECTION OFFICER

To

1. One CC to SRI B.SUDHIR BABU, Advocate [OPUC]
2. Two CCs to GP FOR REVENUE, High Court for the State of Telangana, at Hyderabad. [OUT]
3. Two CD Copies

PSK.
TKS

HIGH COURT

DATED:01/08/2025

ORDER

WP.No.22604 of 2025



DISMISSING THE WRIT PETITION
WITHOUT COSTS

(6)

kpl

15/9/25