APHC010023452024

IN THE HIGH COURT OF ANDHRA PRADESH
AT AMARAVATI **[3396]**
(Special Original Jurisdiction)

WEDNESDAY, THE 4th DAY OF NOVEMBER 2026

PRESENT

THE HONOURABLE DR JUSTICE VENKATA JYOTHIRMAI PRATAPA

WRIT PETITION NO: 1307/2024

Between:

1. SRI G. VENKATESWARA CHOWDARY,, S/O. LATE G.VIJAYA RAGAHAVA CHOWDARY, AGED ABOUT 50 YEARS, OCC-AGRICULTURE-BUSINESS, R/O. H.NO.2-181/1, G -GOLLAPALLI VILLAGE, TAVANAMPALLE (M), CHITTOOR DISTRICT, A.P.

2. SRI S. SRINIVASULU NAIDU,, S/O. S.SESHADRI NAIDU, AGED ABOUT 63 YEARS, OCC- AGRICULTURE-BUSINESS, R/O. H.NO.1-5, G -GOLLAPALLI VILLAGE, TAVANAMPALLE (M), CHITTOOR DISTRICT, A.P.

3. SRI G.P.VIKRAM,, S/O. G.PADMANABHA NAIDU, REP. BY HIS FATHER G.PADMANABHA NAIDU, S/O. LATE G GANGAIAH NAIDU, AGED ABOUT 68 YEARS, OCC- AGRICULTURE, R/O. G GOLLAPALLI VILLAGE, TAVANAMPALLI (M), CHITTOOR DISTRICT, A.P.

4. SRI G.MADHUSUDHANA RAO,, 4. S/O. LATE G.GANGAIAH NAIDU, AGED ABOUT 61 YEARS, OCC-AGRICULTURE, R/O. G GOLLAPALLI VILLAGE, TAVANAMPALLI (M), CHITTOOR DISTRICT, ANDHRA PRADESH.

...PETITIONER(S)

AND

1. THE STATE OF ANDHRA PRADESH, REP. BY ITS PRINCIPAL SECRETARY, FOREST DEPARTMENT, SECRETARIAT, AMARAVATHI.

2. THE DISTRICT COLLECTOR, CHITTOOR DISTRICT

3. THE ANDHRA PRADESH FOREST DEPARTMENT, REP. BY ITS DISTRICT FOREST OFFICER, WEST DIVISION - CHITTOOR, A.P
4. THE FOREST SECTION OFFICER, GAJULAPALLE, CHITTOOR DISTRICT, A.P.
5. THE FOREST RANGE OFFICER, CHITTOOR, CHITTOOR DISTRICT, ANDHRA PRADESH
6. THE TAHASILDHAR, SOMALA MANDAL, CHITTOOR DISTRICT, ANDHRA PRADESH.
7. THE SUPERINTENDENT OF POLICE, CHITTOOR DISTRICT, CHITTOOR, ANDHRA PRADESH.

...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 toIt is therefore prayed that this Honble Court may be pleased to issue an appropriate Writ, Order or direction more particularly one in the nature of Writ of Mandamus declaring the action of the officials of the Respondent Nos.2 to 6 in interfering with petitioners respective possession of Agricultural lands and trying to erect pillers marking new boundaries to Forest Land adjacent to land in Sy.Nos.549/2, 550/2, 559/2, 561/1, 561/2, 542/1 and 607, 608 (old 540-part) of Bonamanda /Pedda upparapalli village, Somala Mandal, Chittoor District belonging to petitioners i.e., Ac.23-16 cents land of 1st Petitioner in Sy.No.561/1, 561/2, Ac.12-00 cents of land in Sy.No.549/2 of 2nd Petitioner , Ac.10-91 cents of land of 3rd Petitioner and Ac.11-60 cents of land in Sy.No.608/8,608/6,608/5,608/4,608/3,608/1,607/9,607/19 and 607/17 of the 4th Petitioner, without any notice and right, contrary to earlier survey and sub-division proceedings of the then 2nd Respondent made in favour of the petitioners, as illegal, arbitrary, contrary to the principles of natural justice, violative of Fundamental Rights guaranteed under Article 14 and 300-A of the constitution of India and without any authority and jurisdiction and contrary to provisions of the Andhra Pradesh Forest Act, 1967 and the rules made therein and pass such other order or orders as are deemed fit and proper in the circumstances of the case. Main Prayer and Interim Prayer is amended as per the Court Order dated.22.01.2024 vide order passed in IA No.02 of 2024.

IA NO: 1 OF 2024

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 Respondents not to interfere with possession of petitioner's lands in Sy.No's.549/2, 550/2, 559/2, 561/1, 561/2, 542/1 and 607, 608 (old 540- part) of Bonamanda/Pedda upparapalli village, Somala Mandal, Chittoor District belonging to petitioners, pending disposal of the above Writ Petition and pass

IA NO: 2 OF 2024

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 leased to permit the petitioners to amend the writ affidavit paragraph No.5 and writ petition's main and interim prayer by including the details and description of property in respective possession of the petitioners i.e., "Ac.23-16 Cents land of 1 St Petitioner in Sy.No.561/1, 561/2, Ac.12-00 Cents of land in Sy.No.549/2 of 2nd Petitioner, Ac. 10-91 Cents of land of 3rd Petitioner and Ac. 11-60 Cents of land in Sy.No.608/8, 608/6, 608/5, 608/4, 608/3, 608/1, 607/9, 607/19 and 607/17 of the 4th Petitioner", and pass

IA NO: 3 OF 2024

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 vacate the interim order dated 12.01.2024 passed in I.A.No. 1 of 2024 in W.P.No. 1307 of 2024 and further extension Interim Order dated 22.01.2024 and dismiss the writ petition and pass

Counsel for the Petitioner(S):

1. SRINIVAS BASAVA

Counsel for the Respondent(S):

1. GP FOR HOME
2. GP FOR REVENUE
3. GP FOR FORESTS

The Court made the following Order:

Heard Sri Srinivasa Basava, learned counsel appearing for the petitioners, Ms. Kothaveera Naga Pallavi, the learned Assistant Government Pleader for Forest and Sri Dilip Naik K. the learned Assistant Government Pleader for Revenue.

2. Learned Counsel for the petitioners submit that the present Writ Petition is filed seeking a direction to respondents 2 to 6 not to interfere with the petitioners' peaceful possession and enjoyment of agricultural lands. The learned Counsel would further submit that the respondent authorities are trying to erect pipes for making the new boundaries of the forest land situated adjacent to petitioners' lands in Survey Nos.549/2, 550/2, 59/2, 561/1, 561/2, 542/1 and 607, 608 (old 540-part) of Bonamanda/Peda Upparapali Village, Somala Mandal, Chittoor District.

3. The learned Assistant Government Pleader for Forest, on the other hand, brings to the notice of this Court that the right and title of the petitioners over the subject property are in dispute, as the petitioners' claim to be in possession of the subject land by virtue of the pattas granted under Estate Abolition Act. He would further submit that, in view of the alleged encroachment of forest land by the petitioners, the Forest authorities intend to conduct a survey for demarcation of the boundaries of the forest land. In that process, notices were issued to the petitioners. However, they refused to receive the same. He would further submit that the subject land is situated adjacent to the forest land and that the authorities are willing to conduct a joint survey by following due process of

law.

4. The learned Counsel for the petitioners submit that, as the Forest authorities are now attempting to interfere with the petitioners' possession over the subject property by erecting pipes, the Writ Petition may be disposed of by directing the Forest authorities to conduct a joint survey in the presence of the petitioners, after issuing prior notice and affording them an opportunity to submit their objections, if any, and thereafter take an appropriate decision in accordance with law regarding demarcation of the boundaries of the forest land.

5. In the light of the aforesaid submissions, the Writ Petition is disposed of directing the Forest authorities shall conduct a survey for demarcation of the boundaries of the forest land after issuing prior notice to the petitioners and all other interested parties. During the course of such survey, the petitioners shall be afforded a reasonable opportunity to participate in the proceedings and submit their objections or explanations, if any. Upon completion of the survey and consideration of the objections, if any, the respondent authorities shall take appropriate decision in accordance with law. Till such exercise is completed, the Forest authorities shall not interfere with the petitioners' possession and enjoyment of the subject property, except by following due process of law. There shall be no order as to costs.

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DR. VENKATA JYOTHIRMAI PRATAPA,J

04.11.2026
RJS/SZT

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THE HONOURABLE DR JUSTICE VENKATA JYOTHIRMAI PRATAPA

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Dt: 04.11.2026

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