APHC010145132026

IN THE HIGH COURT OF ANDHRA PRADESH
AT AMARAVATI [3331]
(Special Original Jurisdiction)

WEDNESDAY, THE 4th DAY OF NOVEMBER 2026

PRESENT

THE HONOURABLE SRI JUSTICE SUBBA REDDY SATTI

WRIT PETITION NO: 7664/2026

Between:

1. UYYALA KOTESHWARAMMA, W/O U. SIVA NAGESWARA RAO, AGED 52 YEARS, R/O D.NO. 18-37, 1ST LINE, SAINT MERITS SCHOOL, RAVIPADU, PALNADU, DISTRICT, A.P. PIN. 522603

...PETITIONER

AND

1. THE STATE OF ANDHRA PRADESH, REP. BY ITS.. PRINCIPAL SECRETARY, REVENUE DEPARTMENT, AP SECRETARIAT, VELGAPUDI, AMARAVATHI, GUNTUR DISTRICT, ANDHRA PRADESH. PIN. 522238.
2. THE DISTRICT COLLECTOR, GUNTUR DISTRICT. PIN. 522004.
3. THE REVENUE DIVISIONAL OFFICER, PRATHIPADU MANDAL, GUNTUR DISTRICT. PIN. 522019.
4. THE TAHSILDAR, NADIMPALEM VILLAGE, PRATHIPADU MANDAL, GUNTUR DISTRICT. PIN. 522019.

...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 or any other appropriate Writ, declaring the highhanded

action of respondent no. 4 in trying to dispossess the petitioner from the agriculture land in Sy.No. 149/4A an extent of Ac. 5.00 cents situated at Nadimpalem Village, Prathipadu Mandal, Guntur District without issuing any notice and without following due process of law as illegal, arbitrary, unconstitutional and in violation of principles of natural justice Article 14, 21 and 300-A of Constitution of India and consequently direct the respondent no. 4 not to dispossess the petitioner from the agriculture land in Sy.No. 149/4A an extent of Ac. 5.00 cents situated at Nadimpalem Village, Prathipadu Mandal, Guntur District and pass

IA NO: 1 OF 2026

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 the respondent no. 4 not to dispossess the petitioner from the agriculture land in Sy.No. 149/4A an extent of Ac. 5.00 cents situated at Nadimpalem Village, Prathipadu Mandal, Guntur District without following the procedure prescribed and without issuing notice to the petitioner, pending disposal of the writ petition and pass

IA NO: 2 OF 2026

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 may be pleased to grant leave to the respondent No.4 in the Writ Petition No.7664 of 2026 to file counter affidavit in the above Writ Petition and pass

Counsel for the Petitioner:

1. SHAIK AFZAL MOHAMMED

Counsel for the Respondent(S):

1. GP FOR REVENUE

The Court made the following order:

Heard Sri D. Ramakoteshwar Rao, learned counsel for the petitioner and Sri Divya Theja, learned Assistant Government Pleader for Revenue, for the respondents.

2. The grievance of the petitioner is that respondent No.4 is trying to dispossess the petitioner of land to an extent of Ac.5-00 cents in Survey No.149/4A, Nadimpalem Village, Prathipadu Mandal, Guntur District, without following due process of law.

3. Learned counsel for the petitioner would submit that the then respondent No.4 assigned the aforementioned land to the petitioner and she has been in possession and enjoyment of the property. The petitioner's name was updated in the Record of Rights (RoR) in respect of the above land. While the matter stood thus, respondent No.4, without following the due procedure, is attempting to dispossess the petitioner from the subject land.

4. In support of the petitioner's claim, copies of DKT patta and Pattadar Passbook are filed as Exs.P2 and P1 respectively.

5. Respondent No.4 filed a counter and disputed the DKT patta and Pattadar Passbook. A perusal of the counter further discloses discrepancies in the Pattadar Passbook filed as Ex.P1. However, it is stated that the authority will follow the due process of law.

6. Whether DKT patta-Ex.P2 and the Pattadar Passbook-Ex.P1 filed by the petitioner are genuine or not is a disputed question of fact and the competent authority to decide the issue is either respondent No.2 or respondents 3 and 4. While exercising jurisdiction under Article 226 of the Constitution of India, this Court normally does not go into disputed questions of fact.

7. However, given the averments in the counter affidavit that the authority will follow the due procedure, this Writ Petition is disposed of at the admission stage with the consent of learned counsel on either side, directing respondent No.4 not to interfere with the land to an extent of Ac.5-00 cents in Survey

No.149/4A, Nadimpalem Village, Prathipadu Mandal, Guntur District, without following due process of law.

8. This order will not preclude respondents 2 to 4 from conducting enquiry regarding the genuineness of Exs.P1 and P2. No costs.

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

JUSTICE SUBBA REDDY SATTI

Date: 04.11.2026
IKN