APHC010226382022

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

THURSDAY, THE 5th DAY OF NOVEMBER 2026

PRESENT

THE HONOURABLE DR JUSTICE VENKATA JYOTHIRMAI PRATAPA

WRIT PETITION NO: 14031/2022

Between:

1. SMT. SANGANAPALLY GURAVAMMA, W/O. PENCHALAIAH, AGED ABOUT 45 YEARS,
2. SMT.PANJAM VENKATARATNAMMA, W/O.VENKATAIAH, AGED ABOUT 40 YEARS
3. SMT.GANTA KRISHNAMMA, W/O.GANTA RAMAKRISHNAIAH, AGED ABOUT 53 YEARS,
4. SMT.KURUGONDA ESWARAMMA S, /O.K.RAMANAIAH, AGED ABOUT 50 YEARS,
5. GANTA RAMAKRISHNAIAH,, S/O.PEDDARAMAIAH, AGED ABOUT 57 YEARS,
6. SMT.KURUGONDA RATNAMMA, W/O.KURUGONDA NAGAIAH, AGED ABOUT 49 YEARS,
7. MUCCHALA GURUVA REDDY, S/O.M.RAMANA REDDY, AGED ABOUT 65 YEARS,
8. SMT.GADDAM SEETHAMMA, W/O. GADDAM PENCHALAIAH, AGED ABOUT 70 YEARS,
9. SMT. GADDAM RAMADEVI, W/O.GADDAM SRINIVASULU REDDY AGED ABOUT 42 YEARS,
10. SMT.PACCHURU SHARADA, W/O.MUNAIAH, AGED ABOUT 45 YEARS,
11. SMT.GANTA RAMANAMMA, W/O.GANTA RAMANAIAH, AGED ABOUT 60 YEARS,

12. SMT.KURUGONDA SHAKARAMMA, W/ O.K.VENKATAIAH, AGED ABOUT 45 YEARS, ALL ARE OCC AGRICULTURE, R/O. SANGANAPALLY VILLAGE, DAKKILI MANDAL, SPSR NELLORE DISTRICT

...PETITIONER(S)

AND

1. THE STATE OF ANDHRA PRADESH, REP BY ITS PRINCIPAL SECRETARY, FOREST DEPARTMENT, SECRETARIAT, VELAGAPUDI, AMARAVATHI.
2. THE DISTRICT FOREST OFFICER NELLORE, SPSR NELLORE DISTRICT.
3. THE FOREST RANGE OFFICER, VENKATAGIRI, SPSR NELLORE DISTRICT.
4. THE TAHSILDAR, DAKKILI MANDAL SPSR NELLORE DISTRICT.

...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 topleased to issue a writ, order or direction more particularly one in the nature of writ of Mandamus to declare the action of the Respondents No.2 and 3 in interfering with the agriculture operations of the Petitioners over the land extent Ac.2-00 cents each situated in Sy.No.247 and 1-P of Sanganapally Village, Dakkili Mandal, SPSR Nellore District without following due process of law as arbitrary, illegal and consequently direct the Respondents No.2 and 3 not to interfere with the peaceful possession and enjoyment of the Petitioners over the land extent Ac.2-00 cents situated in Sy.No.247 1-P of Sanganapally Village, Dakkili Mandal, SPSR Nellore District without following due process of law in the interest of justice.

IA NO: 1 OF 2022

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 Respondents No.2 and 3 not to interfere with the peaceful possession and enjoyment of the Petitioners over the land extent Ac.2-00 cents situated in Sy.No.247 & 1-P of Sanganapally Village, Dakkili Mandal, SPSR Nellore District without following due process of law pending disposal of the Writ Petition in the interest of justice.

IA NO: 2 OF 2022

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 orders dated 06.05.2022 passed in IA No. 1 of 2022 in W.P. No. 14031 of 2022 and dismiss the writ petition and pass

IA NO: 1 OF 2023

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 status quo order dated 06.05.2022 in I.A.No.1 of 2022 in W.P.No.14031 of 2022 and also dismiss the writ petition and pass

Counsel for the Petitioner(S):

1. P NAGENDRA REDDY

Counsel for the Respondent(S):

1. GP FOR REVENUE
2. GP FOR FORESTS

The Court made the following Order:

Heard Sri. P. Nagendra Reddy, learned counsel appearing for the petitioners, Sri. K. Dilip Nayak, the learned Assistant Government Pleader for Revenue and Ms. K. Naga Pallavi, learned Assistant Government Pleader for Forest appearing for the respondents.

2. The learned counsel for the petitioners would submit that the petitioners were allotted necessary pattas by respondent No.4 i.e. the Revenue Department in the year 1999, 2003 & 2004, respectively. They have been in possession and enjoyment of the subject land to an extent of Ac.2.00 cents each, situated in Survey Nos. 247 and 1-P of Sanganapally Village, Dakkali Mandal, SPSR Nellore District. The learned counsel for the petitioners would further submit that respondent Nos. 2 and 3, the Forest authorities, are threatening to dispossess the petitioners from the subject land without following due process of law.

3. The learned Assistant Government Pleader for Revenue would submit that the alleged pattas claimed by the petitioners were not disputed by the Revenue Department. The subject property is classified as ‘Adavi Poramboke’ as per Forest Land Register (FLR) of Velikallu village. The grazing ground poramboke is meant for grazing cattle. The classification of the land is marked as Adavi Poramboke attracts the provisions of the A.P Forest Act. The land was not assigned under the Darakhastu Rules. The Revenue Department could not trace any material regarding the issuance of assignment to the petitioners. The names of the petitioners are not reflected in the basic

revenue records, such as assignment register, revenue committee register and land adangal. The petitioners had earlier filed W.P.No.35281 of 2017.

4. The learned Assistant Government Pleader would further submit that the Revenue Department had never issued any pattas in favour of the petitioners and that their claim of being in possession and enjoyment of the subject land is not correct. The learned Assistant Government Pleader finally prays for dismissal of the Writ Petition.

5. The learned Assistant Government Pleader for Forest would submit that the subject property is a notified Velikallu East Reserved Forest under Section 15 of A.P. Forest Act, 1967, vide G.O.Ms.No.2430, Food and Agricultural (Forest III) Department, dated 02.12.1967.

6. The learned Assistant Government Pleader would further submit that the claim of the petitioners that assignment pattas were granted in the years 1999, 2003 & 2004 by respondent No.4 cannot be accepted, as the same is not sustainable under law.

7. The learned Assistant Government Pleader for Forest would further submit that, after notifying the land declaring it as forest land, the Government has no authority to issue any pattas to the private persons for non-forest use. In fact, as per the communication received from respondent No.4, vide report dated 19.05.2022, in response to the query raised by respondent No.3, the subject property is classified as Adavi and no D-form pattas have been issued to anyone.

8. The learned counsel for the petitioner would submit that in the light of submissions made, the Writ Petition may be disposed of, giving liberty to the petitioners to work out their remedy according to law.

9. In the light of submissions made, it is clear that the subject property was notified in the Gazette and declared as ‘forest land’ as per Section 15 of the Forest Act as early in the year 1967. It is the case of the petitioners that registered pattas were granted to the petitioners in the years 1999, 2003 and 2004. The very issuance of the pattas and their possession over the subject property are seriously disputed by the respondents. Admittedly the alleged pattas were granted in the years 1999, 2003 and 2004, by the time Section 15 notification was published in the Gazette regarding the forest property.

10. In the circumstances, this Court, while exercising its jurisdiction under Article 226 of the Constitution of India, cannot conduct a roving enquiry to give any finding regarding disputed questions of fact, which may require a detailed enquiry.

11. In that view the Writ Petition is disposed of, leaving it open to the petitioners to work out their remedies in accordance with law. There shall be no order as to costs.

DR. VENKATA JYOTHIRMAI PRATAPA,J

05.11.2026
RJS/SZT

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THE HONOURABLE DR JUSTICE VENKATA JYOTHIRMAI PRATAPA

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Dt: 05.11.2026

RJS/SZT