APHC010271442024

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

THURSDAY, THE 8th DAY OF OCTOBER 2026

PRESENT

THE HONOURABLE SRI JUSTICE HARINATH.N

WRIT PETITION NO: 13677 OF 2024

Between:

1. M IMAM HUSSAIN, S/o. Late Gaffoor sab, Aged about 66 years, Occ-Cultivation, D.No. 3-168, Nallamada Village and Mandal, Sri Satya Sai district.

2. N. Alam Vali, S/o. Late N. Raheem Sab, Aged about 51 years, Occ-Cultivation, D.No. 2-60, Nallamada Village and Mandal Sri Satya Sai district.

3. N. Mahaboob Basha, S/o. Late N. Madar Sab, Aged about 58 years, Occ-Cultivation, D.No. 3-237, Nallamada Village and Mandal, Sri Satya Sai district.

4. Patan Modina bee, W/o. P. Hydervali, Aged about 66 years, Oce-Cultivation, D.No. 2-59, Nallamada Village and Mandal. Sri Satya Sai district

...Petitioners

AND

1. THE STATE OF AP, rep. by its Principal Secretary, Social Welfare Department, Secretariat Buildings, Velagapudi, Guntur District.

2. The Commissioner, BC Welfare Hostels, Amaravathi.

3. The Asst Commissioner, BC Welfare Hostels, Puttaparthi, Sri Satya Sai District.

4. The Hostel Welfare Officer, BC Welfare Hostels, Nallamada, Sri Satya Sai District.

5. Nallamada Grama Panchayat, Rep by its Panchayat Secretary, Nallamada , Sri Satya Sai District. R5 is impleaded as per the Court Order dt.30.07.2024 vide orders passed in I.A.No. 02 of 2024.

...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 tomay be pleased to issue writ, order or direction more particularly one in the nature of writ of mandamus declaring the action of respondents in not initiating any steps for removal of dilapidated compound wall existing in the land of the petitioners being an extent of Ac.3.00 -2 cents out of Ac. 6.01 cents in Sy.no. 136-1 situated at Nallamada Village and Mandal, Sri Satya Sai district is as illegal, arbitrary and violative of Article 14, 21 and 300-A of the Constitution of India and consequently direct the respondents to remove the above said compound wall and pass

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 may be pleased to direct the respondents to consider the representation Dt. 24.04.2024, made by petitioner for demolition of dilapidated condition of compound wall existing in the land of the petitioners being an extent of Ac.3.00 72 cents out of Ac. 6.01 cents in Sy.no. 136-1 situated at Nallamada Village and Mandal, Sri Satya Sai district, pending disposal of the main 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 pleased to permit the petitioner to implead the Proposed Respondent No. 5

as the party respondent No. 5 in the main Writ Petition in W.P.No. 13677 of 2024 as well as I.A

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 may be pleased to grant leave to the Petitioner / 5th Respondent in the Writ Petition to file Counter Affidavit in W.P. No. 13677 of 2024 and pass

Counsel for the Petitioners: P NARASIMHULU

Counsel for the Respondents: SASANKA BHUVANAGIRI (SC FOR NON SERVICES ZPPS MPPS GP FOR RAYALASEEMA SPSR NELLORE PRAKASAM) Counsel for the Respondents:GP FOR SOCIAL WELFARE

The Court made the following order:

The petitioners are aggrieved by the action of the respondents in not taking steps to remove the dilapidated compound wall existing on the land of the petitioners in Survey No. 136-1, situated at Nallamada Village and Mandal, Sri Satyasai District.

2. It is the specific case of the petitioners that they are in possession and enjoyment of land admeasuring. Ac. 3.00 ½ cents out of Ac.s 6.01 cents in Survey No. 136-1, situated at Nallamada Village and Mandal, Sri Satyasai District. The said property was purchased by the ancestors of the petitioners vide registered sale deed in the year 1956. It is submitted that the petitioners' names are mutated in the revenue records.

3. It is further submitted that the petitioners have filed O.S.No. 22 of 2023 against third parties, who are allegedly trying to interfere with the possession of the petitioners. It is submitted that the said suit is pending consideration. The petitioners had earlier filed W.P.11163 of 2023, aggrieved by the interference of the police in a civil dispute and the said writ petition was disposed of after recording the written instructions of the learned Government Pleader for Home that the police were not interfering in the civil dispute.

4. It is submitted that the respondents have constructed a compound wall around B.C. Welfare Hostel, thereby curtailing the road access to the petitioners' property. Aggrieved by the inaction on part of the

respondent authorities in removing the compound wall over the petitioners' land, the present Writ Petition is filed.

5. The learned counsel appearing for the 5th respondent submits that they have no role insofar as construction of the said wall or demolition of the said wall is concerned, as the wall was constructed to protect the government land over which the B.C. Welfare Hostel was earlier functioning. It is submitted that the hostel is now shifted to another place and the wall is being maintained for protecting the government property.

6. Respondent No. 4 has also filed a counter and the learned Assistant Government Pleader appearing for respondent No. 4 submits that the B.C. Welfare Department, Satyasai District, has nothing to do with the demolition of the compound wall of the Government building pertaining to the erstwhile Dr. B.R. Ambedkar Gurukulam, R. Ramapuram Village, Nallamada, belonging to the Welfare Department. However, it is stated in the Counter that the compound wall was constructed for protecting the Government property and that a portion of the compound wall falls in Survey No. 136-1.

7. Having regard to the fact that the petitioner is in possession of Ac.3.00 ½ cents of land in Survey No. 136-1 out of Ac.6.01 cents in the said survey number, the Writ Petition is disposed of directing the 3rd respondent to verify if any of the compound wall is constructed over the petitioners' property, with the assistance of the Surveyor of the office of the Tahsildar concerned.

8. The Surveyor attached to the office of the Tahsildar concerned shall determine if any portion of the compound wall has been constructed over the petitioners' property. In the event the Surveyor of the concerned Tahsildar determines that any portion of the compound wall has been constructed over the petitioners' property, the same shall be removed by the 3rd respondent.

9. With the above observations, the Writ Petition is disposed of. There shall be no order as to costs.

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

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JUSTICE HARINATH.N

08.10.2026
RJS/SZT

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HON'BLE SRI JUSTICE HARINATH.N

WRIT PETITION NO: 13677 OF 2024

Dt: 08.10.2026

RJS/SZT