APHC010346552026

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

THURSDAY, THE 5th DAY OF NOVEMBER 2026

PRESENT

THE HONOURABLE SRI JUSTICE SUBBA REDDY SATTI

WRIT PETITION NO: 18441/2026

Between:

1. VIROTHI VENKATA RAMANA, S/O LATE DALI NAIDU, AGED ABOUT 52 YEARS, AGRICULTURIST, R/O POTTIDORAPALEM VILLAGE, BUCHIYYAPETA MANDAL, ANAKAPALLI DISTRICT

...PETITIONER

AND

1. THE STATE OF ANDHRA PRADESH, REPRESENTED BY ITS PRINCIPAL SECRETARY, REVENUE DEPARTMENT, SECRETARIAT, VELAGAPUDI, AMARAVATI.
2. THE DISTRICT COLLECTOR, ANAKAPALLI DISTRICT.
3. THE REVENUE DIVISIONAL OFFICER, ANAKAPALLI REVENUE DIVISION,ANAKAPALLI.
4. THE TAHSILDAR, BUCHIYYAPETA MANDAL, ANAKAPALLI DISTRICT.
5. THE MANDAL SURVEYOR, OFFICE OF THE TAHSILDAR, BUCHIYYAPETA MANDAL, ANAKAPALLI DISTRICT.

6. THE VILLAGE REVENUE OFFICER, KOMMALLAPUDI VILLAGE, BUCHIYYAPETA MANDAL, ANAKAPALLI DISTRICT

7. THE SUPERINTENDENT OF POLICE, ANAKAPALLI DISTRICT.

8. THE STATION HOUSE OFIFCER, BUCHIYYAPETA POLICE STATION, ANAKAPALLI 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 to issue a Writ, Order or Direction, more particularly one in the nature of a Writ of Mandamus, declaring the action of Respondent Nos.3 to 8 in interfering with the petitioner's peaceful possession and enjoyment of the assigned D-Patta land bearing Survey No.101/4, admeasuring Ac.3.43 cents, situated at Kommallapudi Village, Buchiyyapeta Mandal, Anakapalli District, threatening to dispossess the petitioner without issuing any notice or following due process of law, and extending police assistance for such illegal action, as illegal, arbitrary, violative of Articles 14, 21 and 300-A of the Constitution of India and the principles of natural justice, and consequently direct Respondent Nos.3 to 8 not to interfere with the petitioner's peaceful possession and enjoyment of the said assigned D- Patta land except by following due process of law, 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 to direct Respondent Nos.3 to 8 not to interfere with the petitioner's peaceful possession and enjoyment of the said assigned D-Patta land except by following due process of law, 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 vacate the interim orders dated 08.07.2026 in IA.No.1 of 2026 in WP.No.18441 of 2026 and dismiss the writ petition and pass

Counsel for the Petitioner:

1. SAIDULU SHAIK

Counsel for the Respondent(S):

1. GP FOR HOME
2. GP FOR REVENUE

The Court made the following order:

Heard Sri Shaik Saidulu, learned counsel for the petitioner; Sri Divya Theja, learned Assistant Government Pleader for Revenue, for respondents 1 to 6, and Sri Mallikarjun, learned Assistant Government Pleader for respondents 7 and 8.

2. The petitioner's case is that the then Tahsildar assigned D-patta to an extent of Ac.3-43 cents in Survey No.101/4, Kommallapudi Village, Buchiyyapeta Mandal, Anakapalli District. The petitioner's name was updated in the Record of Rights (RoR). The Tahsildar also granted permission, vide Ex.P7, to dig an agricultural well. The petitioner has been in possession and enjoyment of the subject land. While the things stood thus, respondents 4 to 6 and 8, without issuing any notice, are attempting to dispossess the petitioner from the aforementioned land. Copies of the Pattadar Passbook and other Revenue Records are filed as Ex.P4, P2 and P5.

3. An interim order was granted on 08.07.2026.

4. A counter affidavit was filed by respondent No.4. It was contended, *inter alia,* that during the survey, the petitioner was not found in possession of Ac.3-45 cents in Survey No.101/4. Though the land stands in the name of the petitioner in Form-III assigned land list, some third parties are in possession and enjoyment of the subject land. The petitioner is in possession of some

other property. Respondents have not initiated any action to dispossess the petitioner from Ac.3-45 cents (Ac.3-43 cents as per writ affidavit) in Survey No.101/4.

5. Learned counsel for the petitioner and learned Assistant Government Pleader for Revenue reiterated the contentions as per the writ affidavit and counter affidavit, respectively.

6. As seen from the material available on record, there is no dispute regarding assignment of the subject land to the petitioner. The petitioner asserted possession over the subject property. If the petitioner, according to the respondent authorities, violates the conditions of assignment, if any, the concerned authority shall follow the procedure under the Andhra Pradesh Assigned Lands (Prohibition of Transfers) Act, 1977.

7. Given the above facts and circumstances of the case, without going into the disputed questions of fact vis-à-vis possession, since there is no dispute regarding assignment of the subject land in favour of the petitioner, this Writ Petition is disposed of, directing respondents 4 to 6 and 8 not to interfere with the possession of land admeasuring Ac.3-43 cents in Survey No.101/4, Kommallapudi Village, Buchiyyapeta Mandal, Anakapalli District, without following due process of law. No costs.

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

JUSTICE SUBBA REDDY SATTI

Date: 05.11.2026
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