APHC010503422026

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

TUESDAY, THE 27th DAY OF OCTOBER 2026

PRESENT

THE HONOURABLE SRI JUSTICE SUBBA REDDY SATTI

WRIT PETITION NO: 28401/2026

Between:

1. UPPUGANTI VENKATA RAMA RAO,, S/O. LATE UPPUGANTI SEETHAPATHI RAO, AGED 63 YEARS, OCC CULTIVATION, R/O.H.NO.1-176/6, SF-2, MOHIT ARCADE, NTR ROAD, SRI NAGAR COLONY, GANNAVARAM, KRISHNA DISTRICT.

...PETITIONER

AND

1. THE STATE OF ANDHRA PRADESH, REP.BY ITS PRINCIPAL SECRETARY, REVENUE DEPARTMENT, SECRETARIAT, VELAGAPUDI, AMARAVATI, GUNTUR DISTRICT - 522237.
2. THE DISTRICT COLLECTOR, ELURU DISTRICT AT ELURU - 534001.
3. THE JOINT COLLECTOR, ELURU DISTRICT AT ELURU - 534001.
4. THE REVENUE DIVISIONAL OFFICERCUM SUB COLLECTOR, NUZVID REVENUE DIVISION, NUZVID, ELURU DISTRICT - 521201.
5. THE TAHSILDAR, AGIRIPALLI MANDAL, ELURU DISTRICT -521211.
6. THE MANDAL SURVEYOR, AGIRIPALLI MANDAL, ELURU DISTRICT - 521211.
7. THE GRAMA SURVEYOR, ADIVINEKKALAM VILLAGE, AGIRIPALLI MANDAL, ELURU DISTRICT- 521212.
8. UPPUGANTI JAYARAMA NAGESWARA RAO, S/O. LATE SEETHAPATHI RAO, RIO. D.NO.501, SVS APARTMENTS, SAI NAGAR, BESIDE H.P. GAS GODOWN, GANNAVARAM, KRISHNA

DISTRICT - 521101.

9. UPPUGANTI SUDHA RANI, W/O. JAYARAMA NAGESWARA RAO, R/O.D.NO.501, SVS APARTMENTS, SAI NAGAR, BESIDE H.P. GAS GODOWN, GANNAVARAM, KRISHNA DISTRICT - 521101.

...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 WRIT OF MANDAMUS declaring the action of respondents more particularly respondent No.4 to 7 at the instance of 8th and 9th respondent in insisting the petitioner to vacate from his agricultural landed property admeasuring an extent of Ac.0.62 cents out of Ac.0.86 cents covered by Sy.No.469/1 situated at Adivinekkalam Revenue Village of Agiripalli Mandal in Eluru District, under the guise of Survey for the purpose of delivering such portion of land to respondent No.8 and 9, as illegal, irregular, irrational, without jurisdiction and in violation of the provisions of Andhra Pradesh Survey and Boundaries Act, 1923 and offends Articles 14, 21 and 300-A of the Constitution of India and consequently direct the respondents not to interfere in any manner with petitioners possession and enjoyment of aforesaid landed property

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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 direct the respondents not to interfere in any manner with petitioner's possession and enjoyment over any portion of landed property of Ac.0.62 cents out of Ac.0.86 cents covered by Sy.No.469/1 situated at Adivinekkalam Revenue Village of Agiripalli Mandal in Eluru District, under the guise of survey, pending disposal of the main Writ Petition

Counsel for the Petitioner:

1. NIMMAGADDA REVATHI

Counsel for the Respondent(S):

1. GP FOR REVENUE

The Court made the following order:

Heard Sri Jahangir Basha, learned counsel representing Smt. Nimmagadda Revathi, learned counsel for the petitioner, and Sri Chandra

Sekhar, learned Assistant Government Pleader for Revenue for respondents 1 to 7.

2. Since the writ petition is being disposed of on the basis of the instructions furnished by the 5th respondent, and as no adverse order affecting the rights or interests of respondents 8 and 9 is being passed, their appearance is dispensed with.

3. The grievance of the petitioner is that respondents 4 to 7, at the behest of respondents 8 and 9, are attempting to dispossess the petitioner from agricultural land of an extent of Ac.0.62 cents out of Ac.0.86 cents in Sy.No.469/1 situated at Adivinekkalam Revenue Village, Agiripalli Mandal, Eluru District.

4. Learned counsel for the petitioner would submit that the petitioner got the property of an extent of Ac.0.86 cents in Sy.No.469/1, referred to supra, by virtue of a registered Will dated 06.02.2009 (Ex.P1). The Revenue Records were updated, and a Pattadar Passbook was issued in favour of the petitioner vide Ex.P3.

5. Be that as it may, respondents 4 to 7, at the behest of respondents 8 and 9, are attempting to dispossess the petitioner from an extent of Ac.0.62 cents out of Ac.0.86 cents, without following due procedure.

6. Learned Assistant Government Pleader for Revenue submitted the instructions of the 5th respondent. The relevant portion of the instructions is extracted hereunder:

> *"I respectfully further submit that the allegation of the petitioern that the respondents threatened him with forcible eviction or police assistance is wholly false and without any basis. The statutory notice under Section 9(2) of the Andhra Pradesh Survey and Boundaries Act, 1923, clearly establishes that the petitioner was duly informed of the survey proceedings and that an extent of Ac.0.62 cents in R.S.No.469/1 was found to be in his possession. The said notice was duly served upon the petitioner, and he acknowledged receipt thereof by affixing his*

signature on 10.09.2026. Hence, the allegation of forcible eviction or illegal interference by the respondents is false and denied."

7. Given the facts and circumstances of the case, inviting a counter and keeping the writ petition pending may not serve any purpose, and hence, the writ petition is disposed of, at the stage of admission, with the consent of learned counsel appearing on either side, directing the 5th respondent not to interfere with an extent of Ac.0.62 cents out of Ac.0.86 cents in Sy.No.469/1 situated at Adivinekkalam Revenue Village, Agiripalli Mandal, Eluru District, without following due procedure. There shall be no order as to costs.

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

JUSTICE SUBBA REDDY SATTI

Date: 27.10.2026
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THE HONOURABLE SRI JUSTICE SUBBA REDDY SATTI

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