Date of reserved for orders :
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Date of uploading :

APHC010533582025

IN THE HIGH COURT OF ANDHRA PRADESH
AT AMARAVATI [3329]
(Special Original Jurisdiction)

FRIDAY, THE 6th DAY OF NOVEMBER 2026

PRESENT

THE HONOURABLE SRI JUSTICE VENKATESWARLU NIMMAGADDA

CONTEMPT CASE NO: 2914/2025

Between:

1. MUNAGALA TULASAMMA, W/O.RAMANA REDDY, AGED ABOUT 66 YEARS, R/O DOOR NO. YERUKULAREDDYPALEM, KANIGARAM MANDAL, SPSR NELLORE DISTRICT.

...PETITIONER

AND

1. C RAVEENDRA BABU, THE THASILDAR(RETIRED) O/O OF THE MANDAL REVENUE KALIGIRI MANDAL , SPSR NELLORE DISTRICT
2. GEERISH MOLATHATI, THE THASILDAR(NOW PRESENT) O/O OF THE MANDAL REVENUE KALIGIRI MANDAL , SPSR NELLORE DISTRICT

...CONTEMNOR(S):

Petition under Sections 10 to 12 of Contempt of Courts Act 1971 praying that in the circumstances stated in the affidavit file herein the High Court may be pleased to pleased to punish the Respondent 1 and 2 under sec 10 and 12 of the Contempt of Courts Act for their deliberate wanton and wilful disobedience of the interim Orders dated

10-07-2025 in I.A No 1/2025 in W.P No. 17003/2025 passed by Honble court and the Respondents owed to comply the said Orders and be pleased to pass

Counsel for the Petitioner:

1. DR D VENKATA RAMANA REDDY

Counsel for the Contemnor(S):

1. K M KRISHNA REDDY

The Court made the following:

THE HON'BLE SRI JUSTICE VENKATESWARLU NIMMAGADDA

CONTEMPT CASE No.2914 OF 2025

ORDER:-

1. This Contempt Case is filed complaining the alleged willful disobedience in implementing the order dated 10.07.2025 passed by this Court in W.P.No.17003 of 2025.

2. Heard learned counsel for the petitioner and learned counsel for the respondents and perused the material available on record.

3. W.P.No.17003 of 2025 is filed to issue writ of Mandamus declaring the action of the orders passed by the 5th respondent under Rc.B.No.289/2025 dated 24.06.2025 consequent to the orders passed by the 3rd respondent Case No.D.Dis.D5.1071/2024 dated 03.05.2025 basing on the orders passed by the 4th respondent as a proof of the encroachment by the petitioner to an extent of Ac.3-08 cents in Rs.No.672/3 of Yerukulreddypalem village, Gudladona Revenue Area Kaligiri Mandal, as erroneously issued all proceedings by the 5th respondent without considering Condition No.3 & 15.

4. Upon hearing both the parties, this Court passed an interim order in W.P.No.7003 of 2025 on 10.07.2025, which reads as follows:

"Heard the learned counsel for the petitioner and the learned Government Pleader appearing for the respondent Nos.1 to 5.
For filing counter, list the matter after four (4) weeks, in the regular list.
Till then, status-quo obtaining as on today shall be maintained by all the parties concerned in respect of the petitioner's subject property subject to petitioner is in possession of the property when passing the orders of the respondent Nos.2 to 4 herein.
Learned counsel for the petitioner is permitted to takeout personal notice to the respondent No.6 through registered post with acknowledgment due and file proof of service in the Registry."

5. The grievance of the petitioner is that, though this Court directed both the parties to maintain *status quo*, to facilitate the unofficial respondent, the respondents have submitted false report to the Station House Officer, Kaligir, which according to the petitioner amounts to willful disobedience and contempt as defined under Section 2(b) of the Contempt of Courts Act, 1971.

6. Respondent No. 1 – Choppa Raveendra Babu, Tashildar (Retired), filed detailed counter affidavit stating that he retired from service on attaining the age of superannuation on 30.06.2025 A.N. He submitted that the petitioner has been in possession and enjoyment of the total extent of Ac.3-08 cents in Sy.No.672/3 of Gudladona Village, Kaligiri Mandal, SPSR Nellore for over 20 years as per records, but the online revenue records were manipulated in favour of Respondent

No.6 in connivance of the then revenue officials. The Joint Collector passed orders vide D.Dis.D5/1071/2024 dated 30.05.2025 directing the Tashildar to evict the petitioner herein from the subject land and also to take action for deletion of the fraudulently manipulated name of Respondent No.6 from the online revenue records. He further submits that, Respondent No.1 herein issued notices under Section 7 of the A.P. Land Encroachment Act, 1905 to the petitioner and her two sons, calling for their explanation as to why they shall not be evicted from the subject land, passed reasoned order directing to evict them from the subject land. Aggrieved by the said order of eviction, the petitioner herein filed W.P.No.17003 of 2025. Respondent No.1 further submits that, the petitioner was in possession and enjoyment of the subject land for over 20 years and the unofficial respondent/Respondent No.6 was never in the possession of the subject land, but her name was manipulated in the online revenue records fraudulently. Pursuant to the orders of the Joint Collector dated 30.05.2025, Respondent No.1 had initiated action for eviction of the petitioner under the provisions of A.P. Land Encroachment Act, 1905 and deletion of the fraudulently manipulated name of Respondent No.6 and submitted report to that effect.

7. Respondent No.2 – Gireesh Molathati, Tahsildar, Kaligiri Mandal, SPSR Nellore also filed detailed counter affidavit. He submits the following:

a. The petitioner encroached an extent of Ac.3-08 cents in Sy.No.672/3 of Gudladona Village, Kaligir Mandal, which is classified as ‘Gayalu’ (Government Land) as per the village records, without any permission from the competent authority. The Tahsildar initiated action under A.P. Land Encroachment Act, 1905 and issued proceedings vide Rc.B.289/2021 dated 12.11.2022.

b. Aggrieved, the petitioner preferred an appeal before the RDO Kavali, who in-turn disposed of the appeal petition vide Rc.C.2876/2022 dated 18.05.2023 confirming the order passed by the Tahsildar.

c. The petitioner preferred revision before the Joint Collector, Nellore, whereby, the revision was disposed of, confirming the orders passed by the RDO and Tahsildar.

d. The family of the petitioner is possessing an extent of Ac.14-27 cents and not eligible for grant of assignment and also does not come under the purview of landless poor. The

respondent is competent to evict the ineligible encroachers from the Government Land.

e. The Tahsildar, Kaligiri issued notice under Section 7 of the A.P. Land Encroachment Act, 1905 on 21.05.2025. This Court granted interim orders on 10.07.2025. AT the time of issuing interim orders, an extent of Ac.3-08 cents in Sy.No.672-3 of Gudladona village is waste on ground.

f. The Station House Officer, Kaligiri, PS vide leter dated 23.08.2025 informed that, one Karipireddy Subbarayudu filed complaint that land of an extent of Ac.3-08 cents in Sy.No.672/3 belongs to one Karipireddy Rama Lakshmamma, who tried to plough the land and requested to furnish the information with regard to the land in Sy.No.672/3 of Gudladona Vilage;

g. On request, the respondent herein addressed a letter to the Station House Officer informing that land of an extent of Ac.3-08 cents in Sy.No.672/3 (Khata No.1180) stands in the name of Subbarayudu, in the revenue records and he is in possession and enjoyment of the same for the past five months;

h. It is also informed that, the matter is pending for adjudication before the Hon'ble High Court.

8. The petitioner filed rejoinder to the counter affidavit filed by Respondent No.2, pointing out that, in the writ petition, Respondent No.6 was stated to be in possession and enjoyment of the property, whereas, the interim order of this Court prima facie reveals that the petitioner was in possession and enjoyment of the property. Further, in the affidavit filed by the Joint Collector, taking of vacant possession by the respondents was not mentioned. Only to avoid contempt proceedings, Respondent No.2 had made false statements before this Court.

9. Heard the learned counsel appearing for the petitioner and the learned Government Pleader appearing for the respondents. Perused the material available on record.

10. As per the order of this Court dated 21.07.2026, Respondent No.1 is discharged from the contempt proceedings.

11. On perusal of the interim order dated 10.07.2025 passed by this Court, it is evident that, both parties were directed to maintain status quo in respect of the petitioner's subject property, subject to condition

that the petitioner is in possession of the property as on the date of passing of the orders by Respondent Nos.2 to 4 therein.

12. The main allegation is that, inspite of the interim order dated 10.07.2025, Respondent No.2 had addressed a letter dated 23.08.2025 to the Station House Officer, Kaligiri Police Station, stating that the subject land stood in the name of one Subbarayudu in the revenue records and that he was in possession and enjoyment of the same for the preceding five months. However, Respondent No.2 explained the same by stating that the said communication was issued in response to the request made by the Station House Officer seeking information regarding the subject land and that he had also informed the police that the matter was pending adjudication before this Court.

13. Though the petitioner alleged that the said letter was intended to safeguard Respondent No.6/unofficial respondent, the material placed on record does not establish that, Respondent No.2 had actually taken steps to dispossess by the petitioner or interfered with the possession of the subject property by addressing the letter/communication. Mere furnishing information to the Station House Officer regarding entries in the revenue records, does not by itself be construed as willful disobedience of the orders of this Court.

14. It is well settled that, for establishing civil contempt under Section 2(b) of the Contempt of Courts Act, 1971, wilful disobedience of a judgment, decree, direction, order, writ or other process of a Court must be established. In the present case, this Court is not satisfied that the material on record establishes such deliberate and intentional disobedience on the part of Respondent No.2. Therefore, this Court is of the view that, no civil contempt is not made out against Respondent No.2.

15. Accordingly, this Contempt Case is closed against Respondent No.2, who is the sole respondent herein. However, it is made clear that the observations made herein are confined to the adjudication of the present contempt proceedings and shall not prejudice the rights and contentions of the parties in the pending writ proceedings or any other proceedings available to them, in accordance with law.

16. Consequently, miscellaneous petitions pending, if any, in this contempt case shall stand closed.

JUSTICE VENKATESWARLU NIMMAGADDA

Date: 06.11.2026

SP

THE HON'BLE SRI JUSTICE VENKATESWARLU NIMMAGADDA

CONTEMPT CASE No.2914 OF 2025

Date: 06.11.2026

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