APHC010534392026

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

WEDNESDAY, THE 28th DAY OF OCTOBER 2026

PRESENT

THE HONOURABLE SRI JUSTICE SUBBA REDDY SATTI

WRIT PETITION NO: 30911/2026

Between:

1. DASARA SAROJINI, W/O. LATE DASARI KRISHNAYYA @ DASARI KISTAMMA, AGED 75 YEARS, OCC HOUSEHOLD/CULTIVATION, RIO. AYYAPARAJUGUDEM VILLAGE, LINGAPALEM MANDAL, ELURU DISTRICT - 534462. 2.
2. DASARI KANNAYYA, S/O. LATE DASARI KRISHNAYYA @ DASARI KISTAMMA, AGED 48 YEARS, OCC CULTIVATION, RIO. AYYAPARAJUGUDEM VILLAGE, LINGAPALEM MANDAL, ELURU DISTRICT - 534462.
3. . DASARI VENKATARATNAM,, S/O. LATE DASARI KRISHNAYYA @ DASARI KISTAMMA, AGED 45 YEARS, OCC CULTIVATION, RIO. AYYAPARAJUGUDEM VILLAGE, LINGAPALEM MANDAL, ELURU DISTRICT - 534462. 4.
4. DASARI VENKAYYA,, S/O. LATE DASARI KRISHNAYYA @ DASARI KISTAMMA, AGED 42 YEARS, OCC CULTIVATION, R/O. AYYAPARAJUGUDEM VILLAGE, LINGAPALEM MANDAL, ELURU DISTRICT - 534462.

...PETITIONER(S)

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 REVENUE DIVISIONAL OFFICER, ELURU DIVISION AT ELURU

DISTRICT 534001. PETITIONERS

4. THE TAHSILDAR, LINGAPALEM MANDAL, ELURU DISTRICT 534462

5. THE VILLAGE REVENUE OFFICER, AYYAPARAJUGUDEM VILLAGE, LINGAPALEM MANDAL, ELURU DISTRICT 534462

...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 toissue a writ, order or direction more particularly one in the nature of WRIT OF MANDAMUS declaring the action of respondents 2 to 5 in insisting upon the petitioners, without issuing any notice and without there being any authority of law, to vacate from the agricultural landed property admeasuring Ac.2.00 cents in Survey No.380/1 (comprising Ac.1.75 cents and Ac.0.25 cents), situated at Ayyaparajugudem Village, Lingapalem Mandal, Eluru District, as illegal, arbitrary, high-handed, without jurisdiction and violative of the principles of natural justice and of Articles 14, 21 and 300-A of the Constitution of India and consequently direct the respondents not to interfere, in any manner whatsoever, with the petitioners' peaceful possession and enjoyment of the said land otherwise than by due process of law known to law and to pass

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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 pleased to direct respondents 2 to 5 not to interfere, in any manner whatsoever, with the petitioners' peaceful possession and enjoyment of the agricultural landed property admeasuring Ac.2.00 cents in Survey No.380/1 (comprising Ac.1.75 cents and Ac.0.25 cents), situated at Ayyaparajugudem Village, Lingapalem Mandal, Eluru District, pending disposal of the main Writ Petition and pass

Counsel for the Petitioner(S):

1. NIMMAGADDA REVATHI

Counsel for the Respondent(S):

1. GP FOR REVENUE

The Court made the following:

::ORDER::

Heard Smt. Nimmagadda Revathi, learned counsel for the petitioners and Sri Chandra Sekhar, learned Assistant Government Pleader for Revenue, for the respondents.

2. The above Writ Petition is filed to declare the action of respondent Nos.2 to 5 in interfering with an extent of Ac.1.75 cents and Ac.0.25 cents totalling Ac.2.00 cents in Sy.No.380/1 of Ayyaparajugudem Village, Lingapalem Mandal, Eluru District.

3. Learned counsel for the petitioners would submit that the then Tahsildar issued Assignment Patta, dated 08.09.2007 (Ex.P2) in respect of Ac.2.00 cents of land in Sy.No.380/1 of Ayyaparajugudem Village to Sri Dasari Krishnayya. The Record of Rights was updated, and Pattadar Passbook and Title Deed (Ex.P1) were issued in his favour. Later, Sri Dasari Krishnayya died on 14.08.2018. The 1st petitioner, wife of late Sri Dasari Krishnayya, and petitioners 2 to 4, sons of late Sri Dasari Krishnayya, have been in enjoyment of the said land since then. Be that as it may, respondent Nos. 4 & 5, without following due procedure, are trying to dispossess the petitioners by erecting a signboard on the land.

4. Sri Chandra Sekhar, learned Assistant Government Pleader for Revenue, initially submitted instructions and disputed the possession of the petitioners over the subject land. The learned Assistant Government Pleader would further submit that the land is rocky and not fit for cultivation. The Adangal Report, downloaded on 20.10.2026, is annexed along with the instructions.

5. As seen from the Adangal Report, filed along with the instructions, especially Column No.5, an extent of Ac.4.5500 cents in Sy.No.380-1 is shown as poramboke land, which is not cultivable land. Column Nos.12 & 13 reflect that it is Government land. However, the instructions do not dispute the issuance of Pattadar Passbook (Ex.P1).

6. Given the facts and circumstances of the case, keeping the Writ Petition pending and inviting a counter will not serve any purpose. Hence, the Writ Petition is disposed of at the admission stage, with the consent of learned counsel on either side, without going into the merits of the matter or any disputed questions, directing respondent Nos. 4 & 5 not to interfere with the petitioners' subject land without following due procedure. However, this order will not preclude the respondent authorities from verifying the genuineness of the Pattadar Passbook and Assignment Patta (Exs.P1 & 2) by conducting due enquiry. No order as to costs.

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

JUSTICE SUBBA REDDY SATTI

Date: 28.10.2026
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