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APHC010535512018

IN THE HIGH COURT OF ANDHRA PRADESH
AT AMARAVATI **[3457]**
(Special Original Jurisdiction)

WEDNESDAY, THE 28th DAY OF OCTOBER 2026

PRESENT

THE HONOURABLE SRI JUSTICE HARINATH.N

WRIT PETITION NO: 25413/2018

Between:

1. JOGI DURGARAO (DIED) AS PER L.RS P 18 TO P21, S/O. NAGULU, AGE ABOUT 43 YEARS, KAMAYYAPALEM VILLAGE, JEELUGUMILLI MANDAL, WEST GODAVARI DISTRICT.
2. GUJJU KANNAPPA, S/O RAMUDU, AGED ABOUT 40 YEARS, RESIDENTS OF KAMAYYAPALEM VILLAGE, JEELUGUMILLI MANDAL, WEST GODAVARI DISTRICT.
3. KORSA LAKSHMAN RAO, S/O KOLLAPPA, AGED ABOUT 37 YEARS, RESIDENTS OF KAMAYYAPALEM VILLAGE, JEELUGUMILLI MANDAL, WEST GODAVARI DISTRICT.
4. KORSA MUNESWAR RAO, S/O VENKATESWAR RAO, AGED ABOUT 29 YEARS, RESIDENTS OF KAMAYYAPALEM VILLAGE, JEELUGUMILLI MANDAL, WEST GODAVARI DISTRICT.
5. KUMMARI VENKATESWARA RAO, S/O GANGULU, AGED ABOUT 47 YEARS, RESIDENTS OF KAMAYYAPALEM VILLAGE, JEELUGUMILLI MANDAL, WEST GODAVARI DISTRICT.
6. PARSHIKA VENKATAMMA, W/O MALLESWARARAO, AGED ABOUT 31 YEARS, RESIDENTS OF KAMAYYAPALEM VILLAGE, JEELUGUMILLI MANDAL, WEST GODAVARI DISTRICT
7. KUNJA BAJARU, S/O VENKAPPA, AGED ABOUT 34 YEARS, RESIDENTS OF KAMAYYAPALEM VILLAGE, JEELUGUMILLI MANDAL, WEST GODAVARI DISTRICT .
8. MADAKAM GANGULU, S/O MALLESH, AGED ABOUT 54 YEARS, RESIDENTS OF KAMAYYAPALEM VILLAGE, JEELUGUMILLI MANDAL, WEST GODAVARI DISTRICT.
9. KUNJA VENKATARAO, S/O. RAJULU, AGED ABOUT 40 YEARS, RESIDENTS OF KAMAYYAPALEM VILLAGE, JEELUGUMILLI MANDAL, WEST GODAVARI DISTRICT.
10. KORSA SRINIVASA RAO, S/O KOLLAPPA, AGED ABOUT 32 YEARS, RESIDENTS OF KAMAYYAPALEM VILLAGE, JEELUGUMILLI MANDAL, WEST GODAVARI DISTRICT .
11. KORSA KOLLAPPA, S/O. MUNIYYA, AGED ABOUT 67 YEARS, RESIDENTS OF KAMAYYAPALEM VILLAGE, JEELUGUMILLI MANDAL, WEST GODAVARI DISTRICT.
12. KORSA NAGAMMA, W/O RAMUDU, AGED ABOUT 67 YEARS,

RESIDENTS OF KAMAYYAPALEM VILLAGE, JEELUGUMILLI MANDAL, WEST GODAVARI DISTRICT.

13. TELLAM MUTYALARAO (DIED) AS PER L.RS P22 TO P26, S/O VEERAPPA, AGED ABOUT 50 YEARS, RESIDENTS OF KAMAYYAPALEM VILLAGE, JEELUGUMILLI MANDAL, WEST GODAVARI DISTRICT.
14. KORSA BUTCHIRAJU, S/O PENTAPPA, AGED ABOUT 32 YEARS, RESIDENTS OF KAMAYYAPALEM VILLAGE, JEELUGUMILLI MANDAL, WEST GODAVARI DISTRICT.
15. KORSA PENTAPPA, S/O MUTYAMMA, AGED ABOUT 64 YEARS, RESIDENTS OF KAMAYYAPALEM VILLAGE, JEELUGUMILLI MANDAL, WEST GODAVARI DISTRICT.
16. TELLAM CHELLAMMA, W/O MUTYALARAO, AGED ABOUT 42 YEARS, RESIDENTS OF KAMAYYAPALEM VILLAGE, JEELUGUMILLI MANDAL, WEST GODAVARI DISTRICT.
17. KUNJA VEERRAJU, S/O. RAJULU, AGE ABOUT 37 YEARS, RESIDENTS OF KAMAYYAPALEM VILLAGE, JEELUGUMILLI MANDAL, WEST GODAVARI DISTRICT.
18. JOGI AKKAMMA, W/O DURGA RAO,, AGE 52 YEARS, R/O D.NO.4-3A, MAIN ROAD, JILLELAGUDEM, KAMAIAHPALEM, JEELUGUMILLI MANDAL.
19. JOGI JYOTHI, D/O DURGA RAO,, AGE 33 YEARS, R/O D.NO. 4-3A, MAIN ROAD, JILLELAGUDEM, KAMAIAHPALEM, JEELUGUMILLI MANDAL, ELURU DISTRICT.
20. JOGI PAPARAO, S/O DURGA RAO,, AGE 31 YEARS, R/O D.NO. 4-3A, MAIN ROAD, JILLELAGUDEM, KAMAIAHPALEM, JEELUGUMILLI MANDAL.
21. JOGI ARAVIND KUMAR, S/O DURGA RAO,, AGE 28 YEARS, R/O D.NO. 4-3A, MAIN ROAD, JILLELAGUDEM, KAMAIAHPALEM, JEELUGUMILLI MANDAL, ELURU DISTRICT. PETITIONER NOS. 18 TO 21 ARE BROUGHT ON RECORD AS L.RS OF THE DECEASED PETITIONER NO.1 AS PER THE COURT'S ORDER DT.16.09.2025 IN I.A.NO.01 OF 2025.
22. TELLAM CHELLAYAMMA, W/O LATE MUTYALA RAO, AGE 57 YEARS, R/O D.NO.5-79, MAIN ROAD, JILLELAGUDEM, KAMAIAHPALEM, JEELUGUMILLI MANDAL, ELURU DISTRICT.
23. TELLAM VEERRAJU, S/O LATE MUTYALA RAO, AGE 35 YEARS, R/O D.NO.5-79, MAIN ROAD, JILLELAGUDEM, KAMAIAHPALEM, JEELUGUMILLI MANDAL, ELURU DISTRICT.
24. TELLAM RAMAKRISHNA, S/O LATE MUTYALA RAO, AGE 32 YEARS, R/O D.NO.5-79, MAIN ROAD, JILLELAGUDEM, KAMAIAHPALEM, JEELUGUMILLI MANDAL, ELURU DISTRICT.
25. TELLAM SURESH, S/O LATE MUTYALA RAO, AGE 31 YEARS, R/O D.NO.5-79, MAIN ROAD, JILLELAGUDEM, KAMAIAHPALEM, JEELUGUMILLI MANDAL, ELURU DISTRICT.
26. TELLAM SRINU, S/O LATE MUTYALA RAO, AGE 28 YEARS, R/O

D.NO.5-79, MAIN ROAD, JILLELAGUDEM, KAMAIAHPALEM, JEELUGUMILLI MANDAL, ELURU DISTRICT. PETITIONER NOS. 22 TO 26 ARE BROUGHT ON RECORD AS L.RS OF THE DECEASED PETITIONER NO.13 AS PER THE COURT'S ORDER DT.04.12.2025 IN I.A.NO.03 OF 2025.

...PETITIONER(S)

AND

1. SATE OF ANDHRA PRADESH, REPRESENTED BY ITS PRINCIPAL SECRETARY, SOCIAL WELFARE (TRIBAL WELFAR LTR-I) DEPT.,A.P.SECRETARIAT, VELAGAPUDI VILLAGE AMARAVATHI, GUNTUR DISTRICT.
2. AGENT TO THE GOVERNMENT AND DISTRICT COLLECTOR, WEST GODAVARI DISTRICT ELURU.
3. SPECIAL DEPUTY COLLECTOR, (T.W), OFFICE OF I.T.D.A, K.R.PURAM, BUTTAIGUEM MANDAL,WEST GODAVARI DISTRICT.
4. MANDAL TAHSILDAR, JILLELLAGUDEM MANDAL, WEST GODAVLARI DISTRICT.
5. ANNARAPU VENKATESWARARAO, S/O. LATE RAMUDU, AGED 67 YEARS, RESIDENTS OF KAMAYYAPALEM VILLAGE, JEELUGUMILLI MANDAL, WEST GODAVARI DISTRICT.
6. ANNARAPU VENKATA DURGA RAO, S/O. LATE RAMUDU, AGED 40 YEARS, RESIDENTS OF KAMAYYAPALEM VILLAGE, JEELUGUMILLI MANDAL, WEST GODAVARI DISTRICT.
7. KUMMARIKUNTA VENKAMMA, W/O. RAMUDU, AGED 60 YEARS, RESIDENTS OF KAMAYYAPALEM VILLAGE, JEELUGUMILLI MANDAL, WEST GODAVARI DISTRICT,
8. PAGIDIPALLI PULLAMMA, W/O. LATE VEERANNA, AGED 70 YEARS, RESIDENTS OF KAMAYYAPALEM VILLAGE, JEELUGUMILLI MANDAL, WEST GODAVARI DISTRICT.
9. SUNKELLI GANGADHARA RAO, S/O. LATE GANGAYYA, AGED 45 YEARS, RESIDENTS OF KAMAYYAPALEM VILLAGE, JEELUGUMILLI MANDAL, WEST GODAVARI DISTRICT.
10. CHAKRALA RAMBABU, S/O. BRAHMAYYA, AGED 65 YEARS, RESIDENTS OF KAMAYYAPALEM VILLAGE, JEELUGUMILLI MANDAL, WEST GODAVARI DISTRICT.
11. PAREPALLI NAGESWARA RAO, S/O. LATE BIKSHAM, AGED 65 YEARS, RESIDENTS OF KAMAYYAPALEM VILLAGE, JEELUGUMILLI MANDAL, WEST GODAVARI DISTRICT.
12. PAREPALLI SRINIVASA RAO, S/O. LATE BIKSHAM, AGED 65 YEARS, RESIDENTS OF KAMAYYAPALEM VILLAGE, JEELUGUMILLI MANDAL, WEST GODAVARI DISTRICT.
13. PAREPALLI VENKATESWARA RAO, S/O. LATE BIKSHAM, AGED 85 YEARS, RESIDENTS OF KAMAYYAPALEM VILLAGE, JEELUGUMILLI MANDAL, WEST GODAVARI DISTRICT.
14. VEMURI NAGESWARAMMA, W/O. PREMA SUNDARA RAO, AGED 51 YEARS, RESIDENTS OF KAMAYYAPALEM VILLAGE,

JEELUGUMILLI MANDAL, WEST GODAVARI DISTRICT.

15. KOPPULA MUTTAYYA, S/O. LATE HUZUR, AGED 65 YEARS, RESIDENTS OF KAMAYYAPALEM VILLAGE, JEELUGUMILLI MANDAL, WEST GODAVARI DISTRICT.
16. PERAM VENKATESWARA RAO, S/O. LATE VENKATA SWAMY, AGED 38 YEARS, RESIDENTS OF KAMAYYAPALEM VILLAGE, JEELUGUMILLI MANDAL, WEST GODAVARI DISTRICT.
17. DODDAKULA DURGA RAO, LATE VENKANNA, AGED 58 YEARS, RESIDENTS OF KAMAYYAPALEM VILLAGE, JEELUGUMILLI MANDAL, WEST GODAVARI DISTRICT.
18. KOTHAPALLI PENTAYYA, S/O. PEDA PULLAYYA, AGED 70 YEARS, RESIDENTS OF KAMAYYAPALEM VILLAGE, JEELUGUMILLI MANDAL, WEST GODAVARI DISTRICT.
19. KOTHAPALLI SRINIVASA RAO, S/O. LATE MALLAYYA, AGED 35 YEARS, RESIDENTS OF KAMAYYAPALEM VILLAGE, JEELUGUMILLI MANDAL, WEST GODAVARI DISTRICT.
20. KOTHAPALLI GANGAYYA, S/O. LATE MALLAYYA, AGED 35 YEARS, RESIDENTS OF KAMAYYAPALEM VILLAGE, JEELUGUMILLI MANDAL, WEST GODAVARI DISTRICT.
21. KOTHAPALLI VENKATESWARA RAO, S/O. LATE LAKSHMAYYA, AGED 50 YEARS, RESIDENTS OF KAMAYYAPALEM VILLAGE, JEELUGUMILLI MANDAL, WEST GODAVARI DISTRICT.
22. KOTHAPALLI RAMBABU, S/O. LATE VENKANNA, AGED 44 YEARS, RESIDENTS OF KAMAYYAPALEM VILLAGE, JEELUGUMILLI MANDAL, WEST GODAVARI DISTRICT.
23. BANDARU KRISHNA RAO, S/O. LATE GOPALAM, AGED 60 YEARS, RESIDENTS OF KAMAYYAPALEM VILLAGE, JEELUGUMILLI MANDAL, WEST GODAVARI DISTRICT.
24. PERAM KOTESWARA RAO, S/O. LATE TATAYYA, AGED 65 YEARS, RESIDENTS OF KAMAYYAPALEM VILLAGE, JEELUGUMILLI MANDAL, WEST GODAVARI DISTRICT.
25. V SARASWATI, W/O. LATE KOTESWARA RAO, AGED 70 YEARS, RESIDENTS OF KAMAYYAPALEM VILLAGE, JEELUGUMILLI MANDAL, WEST GODAVARI DISTRICT.
26. B NAGESWARARAO, S/O. LATE SUBBA RAO, AGED 54 YEARS, RESIDENTS OF KAMAYYAPALEM VILLAGE, JEELUGUMILLI MANDAL, WEST GODAVARI DISTRICT.
27. M YEDUKONDALU, S/O. LATE BHUSHAYYA, AGED 49 YEARS, RESIDENTS OF KAMAYYAPALEM VILLAGE, JEELUGUMILLI MANDAL, WEST GODAVARI DISTRICT.
28. PERAM SATYANARAYANA, S/O. LATE BHUSHAYYA, AGED 49 YEARS, RESIDENTS OF KAMAYYAPALEM VILLAGE, JEELUGUMILLI MANDAL, WEST GODAVARI DISTRICT.
29. ANNARAPU RAVI, S/O. LATE MAHALAKSMAYYA, AGED 25 YEARS, RESIDENTS OF KAMAYYAPALEM VILLAGE, JEELUGUMILLI MANDAL, WEST GODAVARI DISTRICT.

30. PERAM JAGADISHWAR RAO, S/O. LATE MALLAIAH, AGED 50 YEARS, RESIDENTS OF KAMAYYAPALEM VILLAGE, JEELUGUMILLI MANDAL, WEST GODAVARI DISTRICT.
31. DODDAKULA BALAKRISHNA, LATE PULLAIAH, AGED 28 YEARS, RESIDENTS OF KAMAYYAPALEM VILLAGE, JEELUGUMILLI MANDAL, WEST GODAVARI 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 toto issue a Writ or order more particularly one in the nature of WRIT OF CERTIORARI calling for the entire records pertaining to GO Ms No 36 dtd 10-4-2018 of R1 and consequently set aside the orders of the Revisional authority G.O.Ms.No.36 dt.10.04.2018 declaring the said impugned order as illegal, unconstitutional and in violative of A.P.S.A Regulation 1/59 as amended by regulation 1/70 and pass.

IA NO: 1 OF 2018

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 suspend the impugned order of the Honorable Revision authority under A.P.S.A.L.T.R. 1/70 vide G.O.Ms.No.36 dt.10.04.2018 pending disposal of the writ petition and pass.

IA NO: 2 OF 2018

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 permit the Petitioner to bring on record additional material in the form of copy of the original complaint dr. 01.10.2015, filed before the primary/ original authority may be made as part of the filed in support of my writ prayer and pass

IA NO: 1 OF 2025

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 bring the Legal heirs 1) Jogi Akkamma, W/o Durga Rao, Age 52 years, R/o D.No.4-3A, Main Road, Jillellagudem, Kamaiahpalem, Jeelugumilli Mandal, 2) Jogi Jyothi, D/o Durga Rao, Age 33 years, R/o D.No.4-3A, Main Road, Jillellagudem, Kamaiahpalem, Jeelugumilli Mandal Eluru District. 3) Jogi Paparao, S/o Durga Rao, Age 31 years, R/o D.No.4-3A, Main Road, Jillellagudem, Kamaiahpalem, Jeelugumilli Mandal 4) Jogi Aravind Kumar, S/o Durga Rao, Age 28 years, R/o D.No.4-3A, Main Road, Jillellagudem, Kamaiahpalem, Jeelugumilli Mandalas LR of the 1st writ petitioner as writ petitioners No. 18 to 21 and pass

IA NO: 2 OF 2025

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 grant leave to the petitioner for filing the reply affidavit and pass

IA NO: 3 OF 2025

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 bring the Legal heirs 1). Tellam Chellayamma W/o Late Mutyala Rao, Age 57 years. R/o D.No. 5-79, Main Road, Jillellagudem, Kamaiahpalem, Jeelugumilli Mandal, Eluru District, 2). Tellam Veerraju, S/o Late Mutyala Rao, Age 35 years, R/o D.No.5-79, Main Road, Jillellagudem, Kamaiahpalem, Jeelugumilli Mandal, Eluru District. 3). Tellam Ramakrishna, S/o Late Mutyala Rao, Age 32 years, R/o D.No.5-79, Main Road, Jillellagudem, Kamaiahpalem, Jeelugumilli Mandal, Eluru District. 4). Tellam Suresh, S/o Late Mutyala Rao, Age 31 years, R/o D.No.5-79, Main Road, Jillellagudem, Kamaiahpalem, Jeelugumilli Mandal, Eluru District 5). Tellam Srinu, S/o Late Mutyala Rao, Age 28 years, R/o D.No.5-79, Main Road, Jillellagudem. Kamaiahpalem, Jeelugumilli Mandal. Eluru District, LR of the 13th writ petitioner. Proposal Petitioners as writ petitioners No. 22 to 26 and pass

Counsel for the Petitioner(S):

1. PONNADA SREE VYAS

Counsel for the Respondent(S):

1. GP FOR SOCIAL WELFARE (AP)
2. GP FOR REVENUE (AP)
3. P R K AMERANDRA KUMAR

The Court made the following:

THE HONOURABLE SRI JUSTICE HARINATH.N

WRIT PETITION No.25143 of 2018

ORDER:

1. The petitioners are aggrieved by the issuance of G.O.Ms.No.36, dated 10.04.2018, setting aside the orders of the Agent to the Government, West Godavari District in R.S.A.No.4 of 2016, dated 18.12.2016. The petitioners claimed that the impugned order allowing the revision petition of the unofficial respondents is against the settled principles of law and probabilities of the case. Thus, the petitioners seek a direction from this Court to set aside G.O.Ms.No.36, dated 10.04.2018.

2. It is the specific case of the petitioners that the petitioners belong to the Koya Tribe and earn their livelihood by cultivating small extents of land in Jillellagudem Village, Jeelugumilli Mandal, which is a scheduled-V area. The petitioners claim possession of the lands for several decades. Learned senior Counsel appearing for the petitioners also submits that the lands are categorised as Gayalu (assessed waste lands AWD) in the revenue records. It is also submitted that the petitioners' names are recorded as cultivators in the revenue records. It is further submitted that the petitioners' names were notified in the preliminary notification dated 17.08.2015 and the draft declaration dated 27.11.2015, issued under the Land Acquisition Act for acquisition of the lands for Jelleru Reservoir under the Chintalapudi Lift Irrigation Project. It is submitted that the names of the unofficial respondents were incorporated as pattadars in the revenue records, which is against Regulation 1 of 1970. The names of non-tribals were notified as interested persons in the Land Acquisition Notifications, along with the petitioners'

names. The petitioners, aggrieved by the said notification and the inaction on the part of the revenue authorities in removing the names of non-tribals as pattadars, filed a complaint before the Special Deputy Collector (Tribal Welfare), Polavaram, seeking removal of names of non-tribals from the revenue records over total land admeasuring Ac.191.98 cents covered under R.S.No.1/7, 13, 28, 47, etc., The said complaints were taken on file as S.R. Nos. 174 and 175 of 2015. The petitioners' claims were allowed, and ejectment orders were passed against the non-tribal respondents. The non-tribal respondents filed appeals before the Appellate Authority in S.R.A. Nos. Nos.2, 4, 5 to 15 of 2016, and the Appellate Authority remanded the case to the Special Deputy Collector for fresh adjudication, considering the additional documentary evidence filed by the appellant.

3. The learned Senior Counsel submits that SR No.174 and 175 were taken up for reconsideration and the same were disposed of on 24.06.2016, allowing the claim of the petitioners to an extent of Ac.166.48 cents and disallowing the claim to an extent of Ac.48.70 cents. The non-tribals filed appeals before the appellate authority, which confirmed the special deputy collector's orders on 18.12.2016. The non-tribal respondents filed a review before the Government for an extent of Ac.62.08 cents; the pleadings were completed, and the revisional authority allowed the revision insofar as petitioners Nos.1 to 25 and 27, 28 were concerned, while dismissing the revision petition of petitioner No.26. Learned senior counsel further submits that the impugned order passed by the respondent authority has not taken into consideration the basic facts and the legal position. It is also submitted by the learned senior counsel that the sale transactions referred to by the 1st respondent in the impugned

proceedings do not disclose any details and the said documents are not annexed to the order for verification. It is also submitted that the documents which were allegedly produced by the revision petitioners could not have been considered as valid documents, which do not attract the bar under Regulation 1 of 2017. It is also submitted that the 1st respondent erred in not considering the RSR of 1933, which reflects the property's position; therefore, the grounds on which the impugned proceedings were issued are contrary to law.

4. It is also submitted that when the lands were categorised as Gayalu (AWD) in the original 1933 settlement and when these lands were assigned in favour of any third parties, the non-tribal respondents could not have got executed registered sale deeds for assessed waste lands, and any such documents ought not to create any right in favour of any non-tribal respondent; the 1st respondent ought not to have interfered with the well-considered order passed by the respondent No.2.

5. The learned counsel appearing for the respondent Nos.5 to 31 submits that there is no violation of the regulations under the provisions of the Agency Tracts Interest and Land Transfer Act, 1970 and that the complaint filed by the tribes was disallowed on 06.02.1982. It is submitted that no appeal was filed against the order passed by the Special Deputy Collector in SR Nos. .257 of 1980 and batch;h as such, the same attained finality. It is submitted that the petitioners are aware of the order dated 06.02.1982 and thus could not have re-agitated the same issue by seeking removal of names of the respondents herein from the revenue records by filing SR No.174 and 175 of 2015 it is submitted that though the order dated 06.02.1982 was placed before the 3rd respondent had allowed the compliant filed by the petitioners on

29.12.2015. It is submitted that the complaint filed by the petitioners after a lapse of 33 years ought not to have been taken on file. Such unreasonable claim of the petitioners was entertained by the 3rd respondent by ignoring the order passed by the then competent 3rd respondent authority. It is also submitted that when the then competent authority concluded that there was no violation of Regulation 1 of 2070 on 06.02.1982, the same authority could not have revisited that finding without authority and by ignoring the fact that the petitioners did not file the appeal before the appellate authority within the stipulated time. It is also submitted that the respondents have been in continuous possession of the said property and that the petitioners raised the issue only after the subject property was included in the notification for acquisition of lands for the Polavaram project. It is submitted that, as on the date of filing the writ petition, the lands were taken over for the said project, and the petitioners have now raised this issue only with an eye on the compensation to be received for the affected portion of the subject land.

6. The learned Assistant Government Pleader appearing for the respondent Nos.1 to 4 submits that the 3rd respondent has filed a detailed counter. The counter states that the revision petitioners acquired title to the subject land through registered sale deeds from their vendors before the commencement of the Andhra Pradesh Scheduled Area Land Transfer Regulations Act, 1959, as amended by 1 of 1970. It is also submitted that registered sale transactions before the commencement of Regulation 1 of 1970 are not covered by the regulation, and that the lower authority failed to consider this; accordingly, the revision authority passed a well-reasoned and speaking order. The learned counsel for the respondent Nos. 5 to 31 relies on the

order passed in W.A.No.1342 of 2025, wherein the learned Division Bench of this Court considered a similar dispute relating to a claim over lands in the agency area. The learned Division Bench also considered and held that repeated litigation on the same set of facts was not maintainable. On the facts dealt with by the learned Division Bench in W.A.No.1342 of 2025, the competent authority passed an order in 1978 and again on 07.08.2005, and it was held that the competent authority could not reopen the issue for re-adjudication.

7. Heard the learned Senior Counsel for the petitioner, the learned Assistant Government Pleader for the State and learned counsel for the respondent Nos.5 to 31. Perused the record.

8. The lands in the agency areas are regulated by the Andhra Pradesh Scheduled Area Land Transfer Regulations Act, 1959, as amended by 1 of 1970, popularly referred to as Regulation 1 of 1970. After the advent of the said regulation, any transaction over scheduled lands between non-tribals is prohibited. Transfer of lands from a tribal to a non-tribal is also prohibited; transfer of lands from tribal to tribal is permitted. Any transaction transferring title to land in a scheduled area after Regulation 1 of 1970 came into force must strictly comply with the regulation. Transfer of title before the date Regulation 1 of 1970 came into effect is permissible between two consenting parties. Any transfer of title over scheduled area lands between non-tribal to non-tribal by way of a registered sale deed before Regulation 1 of 1970 coming into effect cannot be subsequently challenged as violative of Regulation 1 of 1970.

9. On the facts of this case, the 1st respondent has passed a detailed and speaking order duly taking into consideration the dates of sale transactions over various parts of lands as tabulated in the order impugned in the present writ petition. As seen from the tabulation recognising the sale transactions of the respondents, the 1st respondent has categorically held that there is no violation of the regulation and the sale transactions are not hit by the regulation.

10. As seen from the impugned proceedings, the revisional authority had also considered the issue which was dealt with by the Special Deputy Collector in a batch of cases way back in the year 1980 and accordingly, allowed the review by upholding the claim of the review petitioner Nos.1 to 25 and 27, 28. As seen from the order passed by the Special Deputy Collector, Tribal Welfare, Eluru in SR No.45 of 1980 and batch, it was held that the transfer from a non-tribal to other non-tribals before Regulation 1 of 1970 came into force would not attract the provisions of the Agency Tracks Interest and Land Transfer Act 1970 or the Andhra Pradesh Scheduled Areas Land Transfer Regulation 1 of 1959 as amended as Regulation 1 of 1970. The petitioners have chosen to remain silent by not filing an appeal against the order dated 06.02.1982 and have tried to stake a claim over the subject property only after the Government initiated steps for acquiring the said lands for public purposes. Evidently, the petitioners have chosen to stake a claim over the property only after waking from a 33-year slumber.

11. This Court is of the considered view that the respondent Nos.5 to 31 have adequately placed their case before the competent authority. The competent authority found that the sale transaction and the sale deed(s) of respondent

Nos. 5 to 31 were executed by a non-tribal in favour of a non-tribal well before Regulation 1 of 1970 came into force. The petitioners, for the reasons better known to them, have failed to file an appeal before the competent authority at that relevant point in time and have now chosen to stake a claim over the subject property over which the rights claimed by the respondent Nos.5 to 31 were dealt with and decided 33 years ago.

12. The impugned order is passed after verifying the additional documents and the contention of the petitioners that the documents as referred to in the impugned order have no details and that they could not have been relied upon by the 1st respondent for settling the claim of the unofficial respondents is concerned, the 1st respondent has referred to the documents referring to the registered document numbers. The petitioners do not contend that the documents referred to in the impugned order do not relate to the subject property or that the said documents do not pertain to the unofficial respondents. Evidently, no effort was made by the petitioners to deny the validity of the registered documents in favour of respondent Nos.5 to 31. All the documents were registered before Regulation 1 of 1970 came into effect. The 1st respondent rightly recognised those documents and held that the review petitioners' claim was maintainable to the extent referred to in the tabulation mentioned in the impugned order.

13. This Court finds no grounds to interfere, as the petitioners cannot stake a claim to the property over which they have no right or title; the title transferred in favour of unofficial respondents is much prior to Regulation 1 of 1970 coming into effect.

14. Accordingly, the writ petition is dismissed. There shall be no order as to costs.

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

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JUSTICE HARINATH.N

Dated 28.10.2026
NKA

THE HONOURABLE SRI JUSTICE HARINATH.N

WRIT PETITION No.25413 of 2018
Date: 28.10.2026

NKA