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APHC010539132026

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

THURSDAY, THE 29th DAY OF OCTOBER 2026

PRESENT

THE HONOURABLE SRI JUSTICE SUBBA REDDY SATTI

WRIT PETITION NO: 29446/2026

Between:

1. K. NAVEEN KUMAR, S/O. K. RAMAKRISHNA REDDY, AGED ABOUT, 54 YEARS, OCC. ADVOCATE, R/O. FLAT NO. 503, SRI BALAKRISHNA HOMES, BEHIND BASHYAM TITANIC CAMPUS, INNER RING ROAD, GORANTLA, GUNTUR, GUNTUR DISTRICT.

...PETITIONER

AND

1. THE STATE OF ANDHRA PRADESH, REP. BY ITS PRINCIPAL SECRETARY, REVENUE DEPARTMENT, SECRETARIAT, VELAGAPUDI, AMARAVATHI -522237
2. THE DISTRICT COLLECTOR, TIRUPATI DISTRICT AT TIRUPATI-517501
3. THE REVENUE DIVISIONAL OFFICER, TIRUPATI REVENUE DIVISION AT TIRUPATI DISTRICT.-517501
4. THE MANDAL TAHSILDAR, RAMACHANDRAPURAM MANDAL AT RAMACHANDRAPURAM TIRUPATI DISTRICT.517501

...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 an order, writ or direction more particularly one in the nature of a Writ of Mandamus under Article 226 of the Constitution of India,

declaring the action of the respondents in attempting to assign public community property, specifically the hillock/hill land earmarked Gutta as per Adangal/diglot/RSR register situated in Survey Nos. 60/3 and 163/1, admeasuring Acres 5.93 cents and Acres1.68 cents at Nennur Village, Ramachandrapuram Mandal, Tirupati District, under the guise of the Ex-Servicemen quota, in total violation of Board Standing orders as illegal, arbitrary and violative of Articles 14 and 21 of the Constitution of India and consequently to protect and preserve the same

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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 to direct the respondents not to allot the hillock / hill land situated in Survey Nos. 60/3 and 163/1, admeasuring Acres 5.93 cents and Acres1.68 cents at Nennur Village, Ramachandrapuram Mandal, Tirupati District, under the guise of the Ex-Servicemen quota, to protect and preserve the same

Counsel for the Petitioner:

1. P NARAHARI BABU

Counsel for the Respondent(S):

1. GP FOR REVENUE

The Court made the following:

ORDER

Heard Sri P.Narahari Babu, learned counsel for the petitioner and Sri Chandra Sekhar, learned Assistant Government Pleader for Revenue, for the respondents.

2. The petitioner is an advocate by profession and filed the above writ petition, assailing the action of the 4th respondent in attempting to assign Ac.5.93 cents in S.No.60/3 and Ac.1.68 cents in S.No.163/1 situated at Nennur village, Ramachandrapuram Mandal, Tirupati District, to an Ex-Serviceman in violation of Board Standing Orders.

3. In the affidavit, it was pleaded that the petitioner owns agricultural lands in S.No.163/A and 162/B of Nennur village. Adjacent to the petitioner's land are the lands in S.Nos.60/3 and 163/1. The said lands are described as Hillock/gutta. The villagers have been using the said hillock for communal purposes, i.e. grazing cattle. The revenue authorities are attempting to assign the said hillock under the guise of ex-Serviceman quota in contravention of Board Standing Orders (BSO) 15(11)(2)(ii).

4. Sri Chandra Sekhar, learned Assistant Government Pleader for Revenue, submitted the written instructions of the 4th respondent-Tahsildar. A copy of the written instructions was handed over to learned counsel for the petitioner across the bar. Learned Assistant Government Pleader for Revenue reported no counter.

5. Learned counsel for the petitioner as well as learned Assistant Government Pleader for Revenue argued the matter on merits while reiterating the contentions as per the averments in the writ affidavit and written instructions.

6. Sri P.Narahari Babu, learned counsel for the petitioner, while reiterating the contentions as per the averments in the writ affidavit, would contend that Ac.5.00 cents in S.No.60/3 is described as Hillock and hence, it cannot be assigned. He would further submit that, though the petitioner is a practising advocate, he has locus to challenge the action of officials in attempting to assign the Hillock to an ex-serviceman, and the petitioner is also an affected party.

7. Sri Chandra Sekhar, learned Assistant Government Pleader for Revenue, on the other hand, would submit that except for Ac.5.00 cents, in the other extent, house site pattas were distributed to beneficiaries under "Navarathanalu – Pedalandarikiillu" scheme. In respect of Ac.5.00 cents in S.No.60/3, the revenue authorities initiated proceedings to change the land

classification; an A1 notice was published, and no objections were received from the villagers. The petitioner did not submit any objection to the A1 notice and filed the writ petition. When the land was assigned to the landless poor under the "Navarathanalu – Pedalandarikiillu" scheme, the petitioner did not challenge it.

8. Thus, as seen from the instructions, the land in S.No.60 admeasuring Ac.38.80 cents is classified as 'Konda Poramboke'. Except for Ac.5.00 cents, the remaining extent of land was distributed under the "Navarathanalu – Pedalandarikiillu" scheme. This factum was not disputed by the learned counsel for the petitioner. He would contend that the distribution of house sites was pursuant to a government policy.

9. One G.Sudhakar Naidu, retired Constable, Border Security Force, applied for grant of assignment in terms of G.O.Ms.No.1560, Revenue Department dated 20.11.1975. By Govt. Memo No.1731038-LANAO-MISC/273/2022, dated 10.05.2025, the Government extended the provision of assignment of agricultural land and house site to Non-Commissioned Officers of BSF on par with Defence personnel. The applicant, G.Sudhakar Naidu, retired Constable, BSF, is eligible for assignment. The authority submitted the applicant's representation to the District Collector, Tirupati, through the Revenue Divisional Officer, Tirupati, vide proceedings REV02/1043/2026-TAH-RCP-TPT(92413), dated 20.08.2026. By following the procedure, an A1 notice was published in the village, and no objections were received from the villagers. Though the writ affidavit describes the land as a hillock or Hill, the land lies vacant and is covered with shrubs and bushes. An extent of Ac.1.68 cents in S.No.163/1B is described as "Annadeenam". The petitioner could have filed objections to the A1 notice; however, as seen from the pleadings and material available on record, no such objections were placed.

10. In fact, the total extent of land, as seen from the instructions, is Ac.38.80 cents in S.No.60, classified as 'Konda Poramboke'; except for

Ac.5.00 cents, the other extent was distributed. The petitioner, a resident of the village, in fact, is aware of the said distribution of pattas. Had the authorities violated BSO-15, the petitioner would have challenged it at the earliest opportunity. However, there was no challenge. The petitioner's main contention is that the communal land, which the 4th respondent is attempting to assign under the ex-servicemen quota, should not be assigned; this Court is not persuaded of the same, since the authority already issued a Form-A1 notice regarding the change in the land's classification. The petitioner did not submit any objections to Form A1 Notice. In fact, as noted supra, the 4th respondent submitted a report to the 2nd respondent, and the 2nd respondent will decide on the assignment.

11. At this juncture, this Court is not going into the locus of the petitioner, since in the considered opinion of this Court, no cause of action arose as of today. The petitioner would have submitted objections to the A1 notice. Without submitting the objections, filing the writ petition speaks for itself. This Court finds no merit in this writ petition; hence, it is liable to be dismissed.

12. Accordingly, the Writ Petition is Dismissed. No order as to costs.

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

JUSTICE SUBBA REDDY SATTI

PVD