

**BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL (SZ),
CHENNAI BENCH AT CHENNAI**

O.A. No. 41 of 2023

BETWEEN:

Paramesh Baligolla

...Applicant

And

The Chief Secretary,

Govt. of Andhra Pradesh and ors.

...Respondents

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RESPONDENT**

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Dated at Chennai on this the 18th day of September 2025



Counsel for 4th Respondent

IN THE HIGH COURT OF ANDHRA PRADESH :: AMARAVATI
(Special Original Jurisdiction)

FRIDAY, THE FOURTH DAY OF APRIL
TWO THOUSAND AND TWENTY FIVE



PRESENT

THE HON'BLE SRI JUSTICE VENKATESWARLU NIMMAGADDA

WRIT PETITION NO: 8919 OF 2025

Between:

Smt. Gali Vasumathi, W/o.K.Venkata Krishna Reddy, aged about 32 years,
Occ: Business, residing at D.No. 15-84, SBI Colony, Dharmavaram Town &
Mandal, Sri Satya Sai District, Andhra Pradesh.

...PETITIONER

AND

1. The State of Andhra Pradesh, rep.by its Principal Secretary Revenue Department, A.P.Secretariat, Velagapudi, Guntur District, A.P.
2. The District Collector, Sri Satya Sai District, Puttaparthi, Andhra Pradesh.
3. The Revenue Divisional Officer, Dharmavaram, Sri Satyasai District, A.P.
4. The Tahasildar, Dharmavaram, Sri Satya Sai District, A.P.
5. The Mandal Revenue Inspector/ Village Revenue Officer, Dharmavaram, Sri Satya Sai District, A.P.

...RESPONDENTS

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 in the nature of a **WRIT OF MANDAMUS** declaring the Order No. D.Dis.334/2024/A dated 24.03.2025 passed by Respondent No. 4 as arbitrary, illegal and colourable exercise and misuse of powers contemplated under law and also violation of Article 300-A of the Constitution of India apart from violation of

Principles of Natural Justice and to set-aside the said Order and consequently, stay of all further proceedings in pursuance of the Order No. D.Dis.334/2024/A dated 24.03.2025 passed by Respondent No. 4.

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 to stay of all further proceedings in pursuance of the Order No. D.Dis.334/2024/A dated 24.03.2025 passed by Respondent No. 4.

Counsel for the Petitioner: SRI A.P.REDDY

Counsel for the Respondent Nos.1 to 5: GP FOR REVENUE

The Court made the following: ORDER

APHC010173862025



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

[3329]

FRIDAY, THE FOURTH DAY OF APRIL
TWO THOUSAND AND TWENTY FIVE

PRESENT

THE HONOURABLE SRI JUSTICE VENKATESWARLU NIMMAGADDA

WRIT PETITION NO: 8919/2025

Between:

Smt.gali Vasumathi,

...PETITIONER

AND

The State Of Andhra Pradesh and Others

...RESPONDENT(S)

Counsel for the Petitioner:

1.A P REDDY

Counsel for the Respondent(S):

1.GP FOR REVENUE

The Court made the following:

THE HONOURABLE SRI JUSTICE VENKATESWARLU NIMMAGADDA

WRIT PETITION NO:8919/2025

ORDER:

The present writ petition is filed under Article 226 of the Constitution of India seeking following relief:

“to issue a Writ, Order or Direction more particularly in the nature of a WRIT OF MANDAMUS declaring the Order No.D.Dis.334/2024/A dated 24.03.2025 passed by Respondent No.4 as arbitrary, illegal and colourable exercise and misuse of powers contemplated under law and also violation of Article 300-A of the Constitution of India apart from violation of Principles of Natural Justice and to set aside the said Order and consequently stay of all further proceedings in pursuance of the Order No D.Dis.334/2024/A dated 24.03.2025 passed by Respondent No.4 and pass such other order or orders....”

2. Heard learned senior counsel for the petitioner and learned Government Pleader for Revenue for the respondents.

3. Learned senior counsel appearing for the petitioner submits that the petitioner herein is the absolute owner and possessor of the land admeasuring to an extent of Ac.2.42 cents in Sy.No.905/2 situated at Dharmavaram Village and Mandal, Satya Sai District having acquired the same through a registered sale deed. Learned senior counsel for the petitioner further submits that the respondents confirmed the subject land

as private patta land by way of counter affidavit filed in O.A.No.41/2023 before the National Green Tribunal Southern Zone, Chennai. But, Contrary to the facts, the respondents issued notices in Form-I and Form-II classifying the subject land is a assigned land and passed the impugned order. Hence, the writ petition.

4. On the other hand, learned Government Pleader for the respondents submits that even though the petitioner was served notice in Form-I and Form-II as per the provisions of the Andhra Pradesh Assigned Lands (Prohibition of Transfers) Act, 1977 (in short 'Act 9 of 1977'), the petitioner herein neither submitted any explanation nor participated in the enquiry as required. She further submits that the present impugned proceedings dated 24.03.2025 issued by respondent No.4 are appealable under Section 4A of the Act 9 of 1977. She further submits that once the petitioner is available with an effective alternative remedy by way of filing an appeal, invoking extraordinary jurisdiction of this Court under Article 226 of the Constitution of India cannot be amenable for adjudication by this Court. She further submits that since it requires much enquiry and evidence for determination whether the land is assigned land or not. The statutory appellate authority i.e., competent authority shall go into the matter after conducting detailed enquiry and after inviting so much evidence either oral or material evidence on record to determine the nature of the land.

5. Having regard to the submissions made by the learned counsel for the petitioner and learned Government Pleader for the respondents, on perusal of the material placed on record, it is observed that the core issue to be decided in the present writ petition is determination of nature of land, whether the land claiming by the petitioner situated in Sy.No.905/2 is assigned land or private patta land. The said determination of nature of land is always at the domain of the statutory authorities and that too to be determined after having so much of evidence and enquiry and after perusing the record. Certainly, this Court without any evidence, cannot determine the nature of land. Moreover the alleged admission by the respondents before National Green Tribunal cannot be much relied as an admission, since the issue and claim is different and not for determination of title.

6. Hence, this Court is inclined to dispose of the writ petition, directing the petitioner to avail statutory alternative remedy by way of filing an appeal before the appellate authority i.e., respondent No.3 herein within a period of three (03) weeks from the date of receipt of a copy of this order. On receipt of such Appeal, respondent No.3 is under statutory obligation to consider the same, taking into consideration all the aspects and after conducting a detailed enquiry and after providing opportunity of hearing to the petitioner as well as other stake holders if any and after perusing the material placed on record in respect of determination of

nature of land and pass appropriate orders, in accordance with law, as early as possible. Till disposal of the appeal, status quo obtaining as on today shall be maintained by all the parties concerned in respect of the subject property.

7. With the above directions, the writ petition is disposed of. There shall be no order as to costs.

Consequently, Miscellaneous Petitions, if any, pending in the writ petition shall stand closed.

//TRUE COPY//

Sd/- N. NAGAMMA
ASSISTANT REGISTRAR
PR SF
SECTION OFFICER

To,

1. The Principal Secretary Revenue Department, State of Andhra Pradesh Secretariat, Velagapudi, Amaravati, Guntur District.
2. The District Collector, Sri Satya Sai District, Puttaparthi, Andhra Pradesh.
3. The Revenue Divisional Officer, Dharmavaram, Sri Satyasai District, Andhra Pradesh.
4. The Tahasildar, Dharmavaram, Sri Satya Sai District, Andhra Pradesh.
5. The Mandal Revenue Inspector/ Village Revenue Officer, Dharmavaram, Sri Satya Sai District, Andhra Pradesh.
6. One CC to Sri A.P.Reddy, Advocate [OPUC]
7. Two CCs to GP for Revenue, High Court of Andhra Pradesh. [OUT]
8. **Three CD Copies.**

gl

HIGH COURT

DATED:04/04/2025

gl

ORDER

WP.No.8919 of 2025



**DISPOSING OF THE WRIT PETITION
WITHOUT COSTS**

9
In the Court of Revenue Divisional Officer and Divisional Magistrate,
Dharmavaram

PRESENT: SRI MAHESH ALAKATOOR, M.Sc., Ph.D.,

D.Dis.618/2025/G

Dated :16.07.2025

Appellant

Smt. Gali Vasumathi Reddy
W/o K.Venkata Krishna Reddy

Counsel

Sri T.Baba Fakruddin
Advocate, Dharmavaram

Versus

Respondents

The Tahsildar,
Dharmavaram.

Sub: Appeals- Dharmavaram Division- Dharmavaram Village & Mandal -
Sy.no.905-2 Extent 2.42 acres- Appeal filed against the orders passed by the
Tahsildar, Dharmavaram in D.Dis.No.334/2024/A Dated:24.03.2025 -Heard
the case- Final Orders issued.

Ref: 1)Appeal filed by Smt.Gali Vasumathi S/o Kethi Reddy Venkata Krishna Reddy
through his Counsel Sri T.Baba Fakruddin, Advocate, Dharmavaram
Dated:12.05.2025
2)This office Rc.No.618/G/2025 Dated:12.05.2025
3)Parawise remarks of Tahsildar, Dharmavaram Dated:06.06.2025
4)This office Notices Rc.No.16.05.2025,10.06.2025,16.06.2025,21.06.2025 &
30.06.2025

Smt. Gali Vasumathi W/o Kethireddy Venkata Krishna Reddy has filed an appeal
before the Revenue Divisional Officer, Dharmavaram against the orders passed by the
Tahsildar, Dharmavaram in D.Dis.no.334/2024/A Dated:24.03.2025 with regard to the
land in Sy.no.905-2 Extent 2.42 acres vide IB Khata No.3164 of Dharmavaram Village
and Mandal.

The case was taken on file and remarks and records on the appeal petition were
called for from the Tahsildar, Dharmavaram in the reference 2nd read above. The
Tahsildar, Dharmavaram has submitted the Para wise remarks and connected records
on the appeal petition in the reference 3rd read above.

The case was posted for hearing on 27.05.2025 subsequently took several
adjournments and finally heard on 05.07.2025. The Counsels for Appellant and
Respondent appeared before this court and argued their Versions.

Brief facts of the case as per the Report of Tahsildar, as follows:

Smt. Gali Vasumathi w/o Kethireddy Venkata Krishna Reddy, S.B.I. Colony,
Dharmavaram Town and Mandal has approached the Hon'ble High Court of Andhra

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Pradesh in W.P.No.24925 of 2024 for seeking relief "to issue a Writ or Order more particularly one nature of Writ of Mandamus declaring the action of Respondents in trying to interfere, demolish the building and trying to dispossess the petitioner from the lands to an extent of Ac. 30.41 cents situated in Survey Nos.904, 904-B, 904-C, 905-2, 908-1, 909-1, 909-2 of Dharmavaram Village, Dharmavaram Mandal of Sri Satya Sai District as illegal, Arbitrary and violation of Article 300-A of the Constitution of India apart from violation of Principles of Natural Justice and consequently direct the Respondents not to interfere, demolish and dispossess the Petitioner from the land to an extent of Ac.30.41 cents situated in Survey Nos.904, 904-B, 904-C, 905-2, 908-1, 909- 1, 909-2 of Dharmavaram Village, Dharmavaram Mandal, Sri Satya Sai District". The Hon'ble High Court of Andhra Pradesh was pleased to pass orders. In this regard Hon'ble High Court of Andhra Pradesh has passed the orders as **"The respondent-authorities are hereby directed not to interfere with peaceful possession and enjoyment of the petitioner's property without following the due process as contemplated under law"**.

Further the Tahsildar, Dharmavaram has submitted report that as per the Revenue accounts the land in Sy.No.905-2 admeasuring an extent of 2.42 acres of Dharmavaram Village of Dharmavaram Mandal is an assigned land and was assigned in the name of Sri Talari Narayanappa S/o Pothappa in D.A.R.Dis.548/64 Dt.28.03.1960. Under the condition of G.O.Ms No.1142. Dated: 18.06.1954, the transaction said to have took place during the year, 1982 vide Doc.No.71/1982 Dated:11.01.1982 in favour of Smt. Anke Narayanamma W/o Anke Peddanna by the Legal heirs of the assignee. Later, the legal heirs of the purchaser Smt. Anke Narayanamma i.e., 1. Sri Anke Narayana S/o late Anke Peddanna of Motumarla Village of Dharmavaram Mandal 2. Smt. Talari Anjinamma w/o Talari Rangappa of Sree Haripuram Village of Ramagiri Mandal and 3. Smt. J.Obulamma w/o J.Narayana, L.C.K. Puram Street of Dharmavaram have sold out the land to Smt. Gali Vasumathi W/o Kethireddy Venkata Krishna Reddy vide Sale Deed Doc. No. 4199/2020 Dt.28.09.2020. So, the transactions took place after the commencement of POT Act, 1977 and also comes under the purview of the POT Act of 1977.

The Tahsildar, Dharmavaram has further reported that the land assigned under G.O.1142 conditions and since there are sales effected over the land in question, the provisions of Sec.3(1) of the Act 9/77 of POT Act are contravened and as such a notice has been issued to the assignee, sellers of the land and purchaser of the land in Form-I and Form-II and the notices are got served on both the sellers and purchaser of the land through the Village Revenue Officer, Dharmavaram on 06.03.2025. The time period of 15 days for submitting explanation is expired by 21.03.2025. No explanation has been received nor submitted either by the purchaser or sellers of the land. Since

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no explanation is submitted by both the purchaser and sellers of the land it is construed that they have nothing to offer to their versions. Hence, it is decided to pass orders as per Rule 3 of the Andhra Pradesh Assigned Lands (Prohibition of Transfers) Rules, 2007. Therefore, under the powers vested u/s 4(1)(a) of the Act and it was ordered to evict Smt. Gali Vasumathi w/o Kethireddy Venkata Krishna Reddy of Dharmavaram Village and Mandal i.e., the purchaser of the assigned land in Sy.No.905-2 ext.2.42 acres of Dharmavaram Village from possession of the land in question and take possession of the land. The crop raised on the land/the building or other construction erected or deposited on the land is forfeited to the Government. The transferee who purchased the said land does not come under Section 4(1)(b)(i) of the Amendment Act 21 of 2008 for consideration. It was also ordered that the Mandal Revenue Inspector/Village Revenue Officer, Dharmavaram is hereby directed to take action to evict, take possession and to restore the land as ordered vide proceedings D.Dis.334/2024/A, Dt.24.03.2025.

Aggrieved against the orders passed by the Tahsildar, Dharmavaram in D.Dis.334/2024/A, Dt.24.03.2025, the present appellant filed Writ petition on the file of Hon'ble High Court of Andhra Pradesh in W.P.No.8919/2025 and the case was disposed directing the appellant to avail statutory alternative remedy by way of filing an appeal before the appellate authority i.e., Revenue Divisional Officer, Dharmavaram within 3 weeks from the date of the receipt of the copy of the order. Till disposal of the appeal, the status quo shall be maintained by all the parties.

Further the Tahsildar, Dharmavaram has submitted his Specific Remarks on appeal filed by Smt. Gali Vasumathi W/o Kethireddy Venkata Krishna Reddy are as follows:

The orders passed by the Tahsildar, Dharmavaram in D.Dis.334/2024/A, Dt.24.3.2025 are according to law. It is not true to say that the opportunity has not been provided to the appellant. Notices as prescribed u/s 3(1) of the Act 9/77 of POT Act, to the purchaser, sellers of the land in Form-I and Form-II and the notices are got served on both the sellers and purchaser of the land through the Village Revenue Officer, Dharmavaram on 06.03.2025. The time period of 15 days for submitting explanation is expired by 21.03.2025. No explanation is received nor submitted either by the purchaser or sellers of the land.

Tahsildar, Dharmavaram submitted that, the averments made in Appeal i.e., the schedule property is a Private Patta land as per 10(I) and Adangal is totally false. The land in Sy.No.905-2 ext.2.42 acres of Dharmavaram Village is a Government land and as such it was assigned during the year 1960 and was assigned in the name of Sri Talari Narayanappa s/o Pothappa in D.A.R.Dis.548/64 Dt.28.03.1960 under conditions of G.O.1142 Dt.18.06.1954. For the averments made by the appellant may put to strict proof.

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The particulars of assignment are clearly noted in the Form-I and Form -II notices issued to the appellant. It is submitted that, the land is purely Government land and the appellant may put to strict proof. For mis-representing of the facts, the then Tahsildar, Dharmavaram and thus she is experiencing disciplinary proceedings by the appointing authority. The appellant not brought the facts of disciplinary proceedings so charged in this regard through this para.

Tahsildar, Dharmavaram submitted that, the land is an assigned land and was assigned in D.A.R.Dis.548/64 Dt.28.03.1960 under conditions of G.O.1142 Dt.18.06.1954. The gap said to have alleging by the appellant due to grant of assignment date and applying date by the Darakhasthdar. The appellant contention is totally wrong. The Date and year of Darakhasth for assignment shall not be the date of grant of assignment. A Darakhasth application may variate the date of grant of assignment for the various reasons and might be due to administration difficulties. Even the date of grant is 28.03.1960 in this case, even the fasli year noted as 1964, the conditions laid down in the D-Patta Form are unchanged and imposed as per G.O.1142 dt.18.06.1954.

Tahsildar, Dharmavaram submitted that as per the averments made by the appellant, the title flow of the patta lands definitely starts from the diglot and based on the documents prior to the diglot i.e., Re-settlement Register. In the instant case, the land in question is noted clearly as Government land and no name of any pattadar is noted against this Survey Number. The appellant may put to strict proof of the same for this averment. Since the land is assigned land in nature and was assigned in the name of Sri Talari Narayanappa s/o Pothappa in D.A.R.Dis.548/64 Dt.28.03.1960 under conditions of G.O.1142 Dt.18.06.1954 and the transaction said to have took place during the year vide Doc.No.71/1982 Dt.11.01.1982 in favour of Narayanamma W/o Anke Peddanna by the Legal heir of the assignee. Later, the purchaser/legal heirs of the purchaser sold out to Smt. Gali Vasumathi. So, the transactions took place after the commencement of POT Act, 1977. So, the subsequent transaction took place in between the appellant and others in Doc.no.4199 Dt.28.09.2020 also comes under the purview of the POT Act of 1977. The appellant cannot deny the purview and the powers conferred to a Tahsildar under this Act.

Tahsildar, Dharmavaram submitted that even the land is not shown in prohibitory properties list, the conditions imposed during assignment vide G.O.1142 Dt. 18.06.1954 are unchanged and the appellant and the sellers concealed the facts of the assignment for their ulterior benefits in this aspect. The appellant failed to enquire with the sellers of the land and ought to have verified the entitlement of the sellers for the land in question. For this, the appellant without verifying Resettlement

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Register (R.S.R) and other allied records which proves that this Government land was purchased. So, the concealment of facts, without verifying the title flow from the assignee etc., clearly goes to show the purchase made by the appellant and sellers to the appellant are not in good faith.

It is an admitted fact of the appellant has obtained information from the Sub-Registrar, Dharmavaram that the land is not in the Prohibitory list of properties. It was clearly admitted the fact by the appellant that she was not enquired with the prime land holder Department to whom the land is related. The appellant failed to see that the land is relates to Government land and the Sub-Registrar, Dharmavaram is not a custodian and have no parental original rights over the subjected land. This is nothing mis-representing the facts and coined for the purpose of appeal and the mutation said to have been taken up by the then Tahsildar, Dharmavaram might have done due to concealment of the facts by the appellant. Disciplinary proceedings are also initiated against the then Tahsildar, Dharmavaram for this lapse.

Tahsildar, Dharmavaram submitted that, it is unable to establish the subject land as patta land to cover up the irregularities committed by the appellant, made the averments which is not connected to this subject land and they are denied. The orders passed in DDis.No.334/2024/A Dated:24.03.2025 is in order and requested to dismiss the appeal in the interests of the justice.

Arguments of the Appellant :

The Counsel for the appellant argued that the appellant is the absolute and lawful owner of the land to an extent of Ac. 30.41 acres in S.Nos. 904, 904-B, 904-C, 905-2, 908-1, 909-1 and 909-2 of Dharmavaram Village fields in Dharmavaram Mandal, Sri Satya Sai District, Andhra Pradesh. The appellant acquired the said lands through validly executed and registered sale deeds from previous lawful owners, whose titles are free from any encumbrance.

The Counsel for appellant argued that the appellant as a rightful owner she approached the Revenue Authorities for mutation of revenue records and for issue of Pattadar pass Books and Title deeds in her name. The Revenue Authorites also have mutated the lands in the name of the appellant and also issued pattadar passbook and title deeds relating to these properties in favour of the appellant. The appellant has applied for the conversion of the land to an extent of Ac.12.48 cents situated in Survey Nos. 904, 904-B, 904-C, and **905-2** into non-agricultural purposes and also remitted necessary amount to the Government. The competent authority i.e., the Revenue Divisional Officer, Dharmavaram has approved the Conversion of the above said lands from Agricultural to Non-Agricultural purpose vide Proceedings No. R.Dis.503/2022(I) dated 13.5.2022.

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The appellant has gifted an extent of Ac.0.065 cents of land in the above said lands to her husband, Sri K. Venkata Krishna Reddy vide Document No. 2355 of 2021, which was duly registered. The husband of the appellant subsequently obtained No Objection Certificate (NOC) from the Irrigation Board, Dharmavaram, dated 27.3.2021 confirming that Survey No. 904, covering 6.5 acres (divided as Paiki 10.06 Ac., Paiki 5.03 Ac., Paiki 6.5 cents), does not pertain to the Dharmavaram Municipal Irrigation Tank.

The Counsel for the appellant argued that according to the report submitted by the Mandal Surveyor, the above said survey numbers fall within Dharmavaram Revenue Village, Dharmavaram, lying adjacent to a lake and extending in a triangular shape that follows the natural topography. The report further shows that there has been no encroachment upon the lake boundaries by any construction or land development activities on part of the appellant. With regard to the building permissions, in 2016, the Government implemented the Development Permission Management System (DPMS) online portal for streamlined submission and processing of building applications across Municipalities, Municipal Corporations and Urban Development Authorities. It is established the guidelines for procedural compliance, fees collection and approvals as per G.O.Ms.No.119, Municipal Administration & Urban Development Authority, dated 28.3.2017.

The Counsel for the appellant argued that in compliance with these guidelines, the husband of the appellant has applied for building permission through a Municipal Licensed Surveyor including all required documents for constructing a G+1 building on 260.03 square meters within Survey No. 904. The husband of the appellant remitted the applicable fees through online payment. Further, the Town Planning Officials reviewed the application and after thorough verification, they confirmed that the land lies within Survey No. 904 as reported by the Executive Engineer of the Irrigation Board is not part of the Dharmavaram Municipal Irrigation Tank. Subsequently, the Municipal Commissioner granted building permission in favour of them vide B.A.No.1002/0070/B/DMM/PUT/2021, dated 21.4.2021.

The Counsel for the appellant argued that in a separate development, one Mr. Paramesh Baligolla has filed an O.A. No. 41 of 2023 before the National Green Tribunal, Chennai, alleging encroachment of Dharmavaram Tank and other issues concerning the land of the appellant. This action is likely motivated by political rivalry against the brother of the husband of the appellant, a YSRCP MLA, Dharmavaram but the appellant is not a party to that case and have not received any notices. However, the appellant was served with a notice File No. 2Li(e)/No.438M dated 05.11.2024 and the same has been challenged by way of Writ Petition No. 25467 of 2024 and the Hon'ble Court was pleased to set aside the same on the ground that the Respondent No. 6 & 7 therein have no Jurisdiction.

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The Counsel for the appellant argued that in the earlier occasion the Respondent and others have tried to dispossess the appellant from the lands situated in Sy. nos. 904, 904-B, 904-C, 905-2, 908-1, 909-1, and 909-2. Further the appellant has previously approached the Hon'ble High Court by filing a Writ Petition No. 24925 of 2024 and the Hon'ble High Court passed Orders on dated 29.10.2024 was pleased to direct the Respondent and others not to interfere with the peaceful possession and enjoyment of the appellant over the said properties without following the due procedure.

The Counsel for the appellant argued that originally, the lands mentioned were part of old Survey No. 661 of Dharmavaram Village fields, covered to total extent 1,732.54 acres was originally owned by the Government i.e., a tank, known locally as the Dharmavaram Tank occupies a portion of this land. Over time, the Government recognized the possession of neighboring farmers cultivating other sections within old Survey No.661, leading to the subdivision of land as follows:

Sl.No.	Sy.No.	Extent in acres
1	661-1	1712.80
2	904	10.60
3	905	3.21
4	906	5.32
5	907	1.80

Moreover, the Government acknowledged the longstanding possession of farmers over portions of land within Survey Nos. 904, 905, 906, and 907, incorporating the entries in the diglot and other revenue records. These entries are recorded in the A-Register, Village Accounts No. 1, No. 2, and other relevant revenue records. The appellant upon purchasing the land from the lawful owners, the appellant taken steps to protect and develop the land including fencing, installing bore wells with electrical connections, laying underground pipelines, planting citrus and betel nut trees, and providing drip irrigation. These trees, now 4.5 years old, are at a fruit bearing stage.

The Counsel for the appellant argued that despite of these events stated above which have been challenged by way of different Writ Petitions failing in all attempts to evict/dispossess and demolish structures, the present Impugned Order has been issued to harass the appellant which ex-facie shows that there is a motive in view of the political rivalry. But the learned Tahsildar, Dharmavaram has passed orders in D.Dis.334/2024/A dt. 24.03.2025 ordering to evict the appellant from the assigned land in S.No.905-2 Extent Ac.2.42 cents of Dharmavaram Village without considering facts and circumstances of the case under the same is liable to be set aside and illegal

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The Tahsildar, Dharmavaram ought to have seen that no opportunity has been provided to the appellant and the said Order has been passed on surmises and conjectures without any material and without providing the documents mentioned in the said Order to the Petitioner.

The Counsel for the Appellant argued that the land mentioned in the Order in relation to the S.No. 905-2 extent of Ac.242 Cents of Dharmavaram Village & Mandal is purely a Patta Land as per the 10(1) Adangal and present Web land entries and as per the counter of the then Tahasildar filed before the National Green tribunal, Chennai in O.A. No. 41 of 2023 which clearly demonstrate that S.No. 905 consisting of Ac. 3-28 Cents falls under the category of private Patta land. The Tahsildar, Dharmavaram ought to have seen that the allegation in the Impugned order that they have assigned the land in favour of Talari Narayanappa S/o. Pothappa in DAR Dis. No. 548/64 dated 28.03.1960 under the conditions of G.O.Ms. No. 1142 dated 18.06.1954 by the then Tahsildar, Dharmavaram is not tenable without providing the details of assignment. It is well settled law in the case of Dasari Narayana Rao Vs. Deputy Collector and Mandal Revenue Officer reported in 2010 (4) ALT 655 held that the authorities while issuing Notice/Order has to provide the particulars of the assignment otherwise the whatever the Order by the authorities are non-est in the eye of law. Therefore, the question of invoking the provisions under 3(2), 3(1) and 4(1) (a) of the Prohibition of Transfer Act and Rules does not arise.

The Counsel for the Appellant argued that the then Tahsildar and Revenue Authorities has admitted that the said lands are purely a private Patta lands and the Pattadars have been enjoying more than 50 years. Therefore, the question of issuing the Impugned Order by the very successor Tahsildar is not tenable which leads to benefit of doubt. Assuming without admitting that the assignment took place, there should generally be a gap of 10 years between the Fasli year and the year of assignment. If the Fasli year is 1364, the corresponding year should be 1954. However, the auction of the assigned lands occurred on 25.03.1959, which is presumed to be prior to G.O.Ms. 1142 dated 18.06.1954. While, G.O.Ms. No. 576 dated 16.11.2018 is said to permit such transfers, in this case, there is a significant discrepancy between the Fasli year and the year of assignment, casting doubt on the legitimacy of the alleged assignment.

The Counsel for the Appellant argued that the flow of title of the Patta land of the appellant starts from the year 1932, based on the Diglot register which reflects the classification of land as Patta and further the transaction by way of Sale Deed Doc. No. 71 of 1982 dated 11.01.1982 took place and further the appellant purchased the said land by way of Sale Deed Document No. 4199 of 2020 dated 28.09.2020 from Anke Narayana, Smt. Talari Anjinamma and Smt. J. Obulamma who are the original pattadars.

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The Counsel for the Appellant argued that the land in S.No. 905-2 does not fall under the list of prohibited properties prepared by the Tahsildar, Dharmavaram under Section 22-A(1) of the Registration Act, 1908 and the same has been approved by the team consisting of Tahsildar, Revenue Divisional Officer, Joint Collector, District Collector and District Registrar after thorough scrutiny and verification of all basic Revenue Records such as RSR, 10(1), T.M. No.4, R. H and Assignment files etc., Therefore, the land in Sy. No. 905-2 to an extent of Ac. 2-42 Cents has not been placed under prohibitory lands list under Section 22-A(1). At the same time all lands against which sale transactions have taken place and been submitted to Government and in turn government has issued G.O.Ms. No. 201 dated 05.05.2016 duly notifying all such lands but at that time also the Petitioner's land in Sy. No. 905 was notified in G.O.Ms. No. 201. It reveals that at every above stages the Revenue authorities have not notified the said land as Assigned land or placed as prohibitory property.

The Counsel for the Appellant argued that prior to purchase of the said the appellant obtained an information under RTI, Act from Sub-Registrar, Dharmavaram wherein it was stated that the said land was not in the Prohibitory list of properties and it can be registered by producing the latest web land 1-B, Encumbrance Certificate, Adangal and Aadhar card of the Sellers/Pattedars and after getting the information of previous sale in the year 1982 and other records in enjoyment right on ground for the last more than 50 years by the Pattadar, the appellant proceeded for purchase of this land by investing huge sum on purchase, developments and constructions. The then Tahsildar, Dharmavaram has verified the mutation file submitted by the Village Revenue Officer and a detailed report issued by the Mandal Revenue Inspector along with supportive documents.

The Counsel for the Appellant argued that in the light of recent political changes following the 2024 State Assembly elections where YSR Congress Party lost, individuals with opposing political views have influenced local officials, leading to actions that disturb the lawful possession of the appellant. However, no opportunity has been provided to the appellant and the said Order has been passed on surmises and conjectures without any material and without providing the documents mentioned in the said Order to the Petitioner. Therefore, the order passed by the Tahsildar, Dharmavaram in D.Dis.No.334/2024/A Dated:24.03.2025 is hit by the principle of Audi-alter am partum as such, the said Order is liable to be set aside. It is further submitted that no prior notice has been served as referred in the Impugned Order and not received by the appellant.

The Counsel for the Appellant argued that aggrieved by the said order passed by respondent on 24.3.2025, the appellant filed Writ Petition No.8919/2025 on the file of the Hon'ble High Court of Ap and the Hon'ble High Court was pleased to dispose of

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the Writ Petition, directing the appellant to avail statutory alternative remedy by way of filing an appeal before the appellant authority i.e. the Hon'ble Revenue Divisional Officer, Dharmavaram within 3 weeks from the date of the receipt of the copy of the order.

The Counsel for the Appellant argued that the land in S.No. 905-2 extent Ac.2.42 cents is not an assigned land. But the Tahsildar, Dharmavaram is trying to evict the appellant from the above said land alleging that the land in S.No. 905-2 is assigned in favor of one Talari Narayanappa S/o Pothappa in DAR Dis No. 548/1964 dt. 28.03.1960. The appellant submitted that the above said property is the ancestral property of Talari Narayanappa and it is not assigned to him in DAR Dis No. 548/1964 dt. 28.03.1960. The Tahsildar, Dharmavaram has not produced any record to prove that it is an assigned land or that it is assigned to Talari Narayanappa in DAR Dis No. 548/1964 dt. 28.03.1960. Further, the appellant requested the Tahsildar, Dharmavaram to provide him with the copies of assignment grant register or TM No. 4 from 1953-1965 under Right to Information Act. But the Tahsildar issued endorsement in RTI No.54/2025 dt. 3.6.2025 to the effect that the assignment grant register or TM No.4 register from 1953-1965 is not available in the said office. This clearly shows that the above said land is not an assigned land and that the Tahsildar manipulated the records for the purpose of this case.

Findings of this Court :

This court has considered the arguments of the appellant and Tahsildar report after verification of all the evidences furnished by them and all Revenue records /Village Accounts and find the following important points.

- As per the incorporations made in RSR of Dharmavaram Village, the land in Sy.no.661 Extent 1732.54 acres is classified as G.P. Poramboke Land and noted as "Kriyashakthi Vadayar Cheruvu" in Col.No.12. Later the Survey Number was got Block Splitted and formed New Survey Numbers from Sy.No.904 to Sy.No.907 duly notifying the Classification as Govt. Dry
- As seen from the Assignment file, the land in Sy.no.905 Extent 3.28 acres was Sub-Divided as Sy.no.905-1 Extent 0.86 acres (A.W.) and Sy.No.905-2 Extent 2.42 acres as tentatively for assignment purpose on Dated:25.03.60. The land in Sy.no.905-2 Extent 2.42 acres was assigned to Sri Talari Narayanappa S/o Talari Pothappa vide DAR.Dis.No.548/64 Dated:28.03.1960 under the conditions of G.O.No.1142 Dated:18.06.1954.
- Further the legal heirs of the Assignee have sold out the land to Smt. Anke Narayanamma W/o Anke Peddanna vide Sale Deed Doc.No.71 /1982 Dated:11.01.1982, transaction took before the commencement of POT Act, 1977. Subsequently another transaction was took place by the

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legal heirs of purchasers to present appellant vide Sale Deed Doc.No.4199/2020 Dated:28.09.2020 which also comes under the purview of the POT Act, 1977.

- Oppurtunity has been given by the Tahsildar, Dharmavaram by issuing the Notices in Form-I & Form-II duly mentioning the assignment details in it on Dated: 05.03.2025 and served by Village Revenue Officer as mentioning that to offer their explanation within 15 days. But after completion of stipulated time i.e., 21.03.2025 neither the purchaser nor the sellers of the land had submitted their explanation.
- It is noticed that the land in Sy.no.905-2 Extent 2.42 acres is an assigned land and it was formed from Old Survey Number 661 Extent 1732.54 acres which is classified as G.P. Poramboke subsequently changed the classification from Poramboke to Govt. Dry but it is not a Private patta land.
- As per the D-Form Patta and Assignment file the subject land was an assigned land and assigned under the conditions of Non-Alienable as per the G.O.1142 Dated:18.06.1954 though it is not notified in the Prohibited Properties under the purview of Section 22(A)(1) lists of the Registration Act, 1908.
- In view of the fact that the Purchaser/Appellant had acquired the assigned land in Contravention of Section 3(2) of the Act 9/77 and after satisfied that the purchaser/appellant has contravened the Provision of Sub Section (1) of Section 3 of the Act 9/77, duly issuing Notices to concerned parties to offer their explanation and after completion of notice period, the Tahsildar, Dharmavaram has passed orders as per the powers vested u/s 4(1)(a) of the Act, 1977 for eviction of the appellant from the assigned land in Sy.no.905-2 Extent 2.42 acres of Dharmavaram Village and Mandal in DDis.No.334/2024/A Dated:24.03.2025.

ORDER:

In view of the above, after taking into consideration of arguments of the Appellant and Parawise Remarks of the Respondent/Tahsildar, Dharmavaram this court is of the opinion that there is no reason found to interfere with the orders passed by the Tahsildar, Dharmavaram in DDis.No.334/2024/A Dated:24.03.2025. Hence the orders Passed by the Tahsildar, Dharmavaram in DDis.No.334/2024/A Dated:24.03.2025 are hereby upheld.

Accordingly the appeal petition is disposed off.

Typed to dictation and pronounced by me in open Court on 16th day of July, 2025.

An Appeal lies before the Joint Collector, Sri Sathya Sai District within 30 days from the date of receipt of this orders.


Revenue Divisional Officer
Dharmavaram

To,

1) Smt. Gali Vasumathi W/o Kethireddy Venkata Krishna Reddy, through her Counsel, Sri T. Baba Fakruddin, Advocate, Dharmavaram. **(By RPAD).**

2) Copy to the Tahsildar, Dharmavaram. **(By RPAD).**

3) Copy to file.

APPS010542502024



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



WEDNESDAY, THE THIRTEENTH DAY OF AUGUST
TWO THOUSAND AND TWENTY FIVE

PRESENT

THE HON'BLE THE CHIEF JUSTICE SRI DHIRAJ SINGH THAKUR

AND

THE HON'BLE SRI JUSTICE RAVI CHEEMALAPATI

WP(PIL) NO: 195 OF 2024

Between:

Kotla Ajash Babu, S/o. Kotla Pothulayya, Aged 35 years, Occupation: Business, R/o. 1-197, K.K. Palli Colony, Georgepet, Anantapur District. Aadhar No 3719 2810 2327, PAN BPQPA13150R Cell 7893949777 Email Id ajeshkotla@gmail.com

...Petitioner

AND

1. The State of Andhra Pradesh, Rep. by its Principal Secretary, Department of Water Resources cum Minor Irrigation A.P. Secretariat, Velagapudi, Guntur District
2. The State of Andhra Pradesh, Rep. by its Principal Secretary Department of Revenue A.P. Secretariat, Velagapudi, Guntur District
3. The District Collector, Sri Satya Sai District Puttaparthi, Andhra Pradesh
4. The Superintendent Engineer, Water Resources Department Sri Satya Sai District, Andhra Pradesh
5. The Revenue Divisional Officer, Dharmavaram, Sri Satya Sai District, Andhra Pradesh

6. The Tahsildhar, Dharmavaram, Sri Satya Sai District, Andhra Pradesh
7. The Executive Engineer, Water Resources Cum Minor Irrigation Department Dharmavaram, Sri Satya Sai District, Andhra Pradesh.
8. The Assistant Executive Engineer, Water Resources Cum Minor Irrigation Department Dharmavaram, Sri Satya Sai District. Andhra Pradesh
9. The Sub Registrar, Dharmavaram, Sri Satya Sai District. Andhra Pradesh.
10. Smt. Gali Vasumanthi, W/o. K. Venkata Krishna Reddy Aged about 27 years, Occ: Business, Residing at D.No. 15-84, SBI Colony Dharmavaram Town and Mandal, Sri Satya Sai District, Andhra Pradesh
11. Kethireddy Venkata Ramireddy, S/o.Surya Prathap Reddy, Ex-MLA, D.No. 15/84, SBI Colony, Dharmavaram, Sri Satya Sai District- 515671

...Respondents

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 to declaring the action of the Respondents in not taking action to conduct enquiry, to remove encroachments and to protect the Dharmavaram in R.S. No. 661, 904, 905, 906, 907, 908 and 909 situated at Dharmavaram. Sri Satya Sai District is bad, arbitrary and unconstitutional and consequentially direct the Respondents to conduct enquiry and to remove all the encroachments in Dharmavaram Lake in R.S. No. 661, 904, 905, 906, 907, 908 and 909 situated at Dharmavaram, Sri Satya Sai District by following due process of law and in the interest of justice.

IA NO: 1 OF 2024

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 to consider the petitioner representations.

**Counsel for the Petitioner: SRI CH MADHAVA RAMAN REPRESENTING
SRI K V ADITYA CHOWDARY**

Counsel for the Respondent Nos. 10 & 11: SRI A P REDDY

Counsel for the Respondent Nos. 2, 3, 5, 6 & 9: GP FOR REVENUE

Counsel for the Respondent Nos. 1, 4, 7 & 8: GP FOR IRRRI AND CAD

The Court made the following order:



IN THE HIGH COURT OF ANDHRA PRADESH
AT AMARAVATI

Bench
Sr.No:-38
[3483]

WP(PIL) NO: 195 of 2024

Kotla Ajash Babu

...Petitioner

Vs.

The State of Andhra Pradesh and others

...Respondent(s)

Advocate for Petitioner:

Mr. Ch. Madhava Raman appearing
vice Mr. K. V. Aditya Chowdary

Advocate(s) for Respondent(s):

Mr. D. Yathindra Dev, Ld. Special GP,
Mr. A. P. Reddy, GP for Revenue, GP
for Irri and Cad

**CORAM : THE CHIEF JUSTICE DHIRAJ SINGH THAKUR
SRI JUSTICE RAVI CHEEMALAPATI**

DATE : 13th August, 2025.

P C :

The issue that has been highlighted in the present petition is with regard to the encroachment made primarily by respondent Nos.10 and 11, over land which falls within the category of lands falling within the ambit of A.P. Assigned Lands (Prohibition of Transfers) Act, 1977.

2. Learned Special Government Pleader for the respondents, Mr. D. Yathindra Dev, stated that with a view to evict the encroachers, action was taken by issuance of Form-I and Form-II notices. Subsequently, by way of

proceedings of the Tahsildar, Dharmavaram, eviction of the unofficial respondents was ordered. The said proceedings were initially challenged by the unofficial respondents before a learned Single Judge of this Court under Article 226 of the Constitution and further by way of an appeal before the R.D.O, Dharmavaram.

3. Considering the fact that action has already been taken and the remedies are availed by respondent Nos.10 and 11 before the appropriate fora, we do not consider it appropriate to continue these proceedings any further, which are accordingly closed.

No order as to costs. Pending miscellaneous applications, if any, in this petition, shall stand closed.

//TRUE COPY//

Sd/- SHAIK MOHD. RAFI
ASSISTANT REGISTRAR


SECTION OFFICER

To,

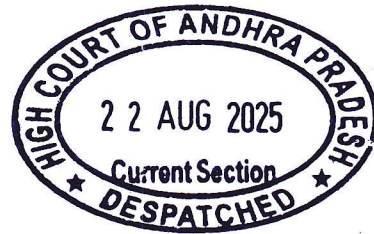
1. One CC to Sri K V Aditya Chowdary, Advocate [OPUC]
2. One CC to Sri A P Reddy, Advocate [OPUC]
3. Two CCs to Sri D Yathindra Dev (Spl. GP), High Court of Andhra Pradesh [OUT]
4. Two CCs to GP for Revenue, High Court of Andhra Pradesh [OUT]
5. Two CCs to GP for Irri and CAD, High Court of Andhra Pradesh [OUT]
6. Two CD Copies

TF

HIGH COURT

DATED:13/08/2025

ORDER
WP(PIL) NO. 195 OF 2024



CLOSING THE W.P.(PIL) WITHOUT COSTS

Rc.No.Lands-I/e-31161/2025

O/o. the Collector & District Magistrate
Sri Sathya Sai District, Puttaparthi.**PROCEEDINGS**

Sub:- Assignment Appeal - Revision Petition - Dharmavaram Division - Dharmavaram Mandal - Dharmavaram Village - Sy.No. 905-2, Extent: Ac.2.42cts - Revision Petition filed before the Joint Collector, Sri Sathya Sai against the orders of the Revenue Divisional Officer, Dharmavaram in D.Dis.No. 618/2025/G, Dated: 16-07-2025 - Regarding.

Read:- Revision Petition filed by Smt. Gali Vasumathi W/o. K. Venkata Krishna Reddy, D.No. 15-84, SBI Colony, Dharmavaram Town & Mandal through their counsel Sri D. Ameer and Sri T. Baba Fakruddin, Advocates, Dharmavaram.

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ORDER:

Smt. Gali Vasumathi W/o. K. Venkata Krishna Reddy, resident of SBI Colony, Dharmavaram Town and Mandal has filed Revision petition before the Joint Collector, Sri Sathya Sai District against the orders of the Revenue Divisional Officer, Dharmavaram in D.Dis.No. 618/2025/G, Dated: 16-07-2025 in which the appeal petition has been dismissed.

Upon perusal of the contents of the revision petition and orders of the Revenue Divisional Officer, Dharmavaram, the revision petition is taken on file under the provisions of Section 4(B) of the Andhra Pradesh Assigned Lands (Prohibition of Transfers) Act,1977.

The Revenue Divisional Officer, Dharmavaram and the Tahsildar, Dharmavaram are hereby directed to send connected records along with remarks immediately to take up the revision for hearing. A Copy to the revision petition is herewith enclosed.

(Issued under the note orders of the Joint Collector, Sri Sathya Sai)

G.SURYANARAYANA REDDY
District Revenue Officer,
Sri Sathya Sai District
Puttaparthi

To,

Revision Petitioner:

Smt. Gali Vasumathi W/o. K. Venkata Krishna Reddy, resident of SBI Colony, Dharmavaram Town and Mandal through their counsel Sri D. Ameer and Sri T. Baba Fakruddin, Advocates, Dharmavaram.(BY RPAD).

Copy to the Revenue Divisional Officer, Dharmavaram.

Copy to the Tahsildar, Dharmavaram Mandal.

Copy to the Mandal Revenue Inspector, Village Revenue Officer, Dharmavaram

**BEFORE THE HON'BLE NATIONAL
GREEN TRIBUNAL (SZ), CHENNAI
BENCH AT CHENNAI**

O.A. No. 41 of 2023

BETWEEN:

Paramesh Baligolla

...Applicant

And

The Chief Secretary,

Govt. of Andhra Pradesh and ors.

...Respondents

**ADDITIONAL DOCUMENTS FILED BY
THE 4TH RESPONDENT**

G. ADITHYARAJ

COUNSEL FOR 4TH RESPONDENT

95000 13112