



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

[3573]

THURSDAY, THE TWENTY FIRST DAY OF MAY
TWO THOUSAND AND TWENTY SIX

PRESENT

THE HONOURABLE SRI JUSTICE BALAJI MEDAMALLI

WRIT PETITION NO: 14670/2026

Between:

1. KOGANTI ANJANEYULU, S/O KOGANTI KOTESWARA RAO, AGED ABOUT 57 YEARS, GUDIVADA URBAN, GUDIVADA MANDAL, KRISHNA DISTRICT, AP
2. YALAVARTHI SIVA KESAVA KRISHNA RAO, S/O VENKATESWARA RAO, AGED ABOUT 52 YEARS, R/O. 10/255-407, DWARAKA RESIDENCY, SH -28, ELURU ROAD, GUDIVADA, PIN 521301.

...PETITIONER(S)

AND

1. THE STATE OF ANDHRA PRADESH, REP BY ITS PRINCIPAL SECRETARY, HOME DEPARTMENT, SECRETARIAT BUILDINGS, VELAGAPUDI, AMARAVATHI, GUNTUR DISTRICT, ANDHRA PRADESH-522 238
2. THE DIRECTOR GENERAL OF POLICE, MANGALAGIRI, TADEPALLI, GUNTUR DISTRICT, PIN 522503.
3. THE SUPERINTENDENT OF POLICE, MACHILIPATNAM, KRISHNA DISTRICT, PIN - 521001.
4. THE DEPUTY SUPERINTENDENT OF POLICE, GUDIVADA, KRISHNA DISTRICT- 521 301.
5. THE STATION HOUSE OFFICER, NANDIVADA POLICE STATION, KRISHNA DISTRICT, PIN 521321.
6. AP STATE ACQUA CULTURE DEVELOPMENT AUTHORITY, REPRESENTED BY LICENCING AUTHORITY THE DISTRICT LEVEL IMPLEMENTATION COMMITTEE (DLIC) KRISHNA DISTRICT, PIN 521002.

...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 to issue an order or direction, more particularly one in the nature of a Writ of MANDAMUS, to declaring the inaction of Respondents 1 to 5 to initiate necessary action in protecting the lives and property of the Petitioners and the property in survey numbers 5, 11- 2, 6-2A, 10-1, 7-2, 7-1B, 12-3A, 9-3, 12-3B, 10-4, 11-1, 11-1,7-2, 7-1A, 12-2, 8-2, 9-2B, 10-5, 10-3, 10-4, 9-1,8-1A, 9-1, 8-1B, 8-2, 8-2A, 10-2A, 8-1C, 10- 2B, 10-2B, 12-3A, Sy.No.135-3A, 133-3, 136-2B, 132-2, 133-1 A, 134-1, 136- 1B, 137-4, 137-1B, 134-3, 132-1, 134-2, 135-2, 132-1, 137-5, 135-2, 134-5, 133-2B, 134-4A, 133-2A, 134-4B1, 134-4B, 133-4, 137-3B, 137-2B, total an extent of Ac. 26.84 cts and Ac. 26.13 belonging to the Petitioners at Pedalingala Village, Nandivada Mandal, Krishna District, as illegal, arbitrary, and violative of Art. 14, 19, and 21 of the Constitution of India, and pass such

IA NO: 1 OF 2026

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 2 to 5 to provide Bandobast /protection at the site in survey numbers 5, 11-2, 6-2A, 10-1, 7-2, 7-1B, 12-3A, 9-3, 12-3B, 10-4, 11- 1, 11-1, 7-2, 7-1A, 12-2, 8-2, 9-2B, 10-5, 10-3, 10-4, 9-1, 8-1A, 9-1, 8-1B, 8- 2, 8-2A, 10-2A, 8-1C, 10-2B, 10-2B, 12-3A, Sy.No.135-3A, 133-3, 136-2B, 132-2, 133-1A, 134-1. 136-1B, 137-4, 137-1B, 134-3, 132-1, 134-2, 135-2, 132-1, 137-5, 135-2, 134-5, 133-2B, 134-4A. 133-2A, 134-4B1, 134-4B, 133- 4, 137-3B, 137-2B, total an extent of Ac. 26.84 cts and Ac. 26.13 belonging to the Petitioners at Pedalingala Village, Nandivada Mandal, Krishna District, and security to the Petitioners, and pass such

Counsel for the Petitioner(S):

1.KOGANTI NAGESWARA RAO

Counsel for the Respondent(S):

1.GP FOR HOME

The Court made the following:

THE HONOURABLE SRI JUSTICE BALAJI MEDAMALLI

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ORDER:

The grievance of the writ petitioners is that they are holding a valid licence under Ex.P1 dated 30.03.2026 for conversion of their agricultural lands into aqua culture ponds, as the said area is situated within the aqua zone. While taking up such activity, the villagers are obstructing the same without any authority. Gram Panchayat also considered the said issue and passed a resolution in this regard, permitting the petitioners to carry out the activity in accordance with the applicable rules and regulations.

2. However, when the petitioners approached the Police for protection by submitting a complaint dated 13.05.2026, the Police registered Crime No.94 of 2026 dated 13.05.2026 for the offence under Section 126(2), 351(2), 329 r/w 3(5) of BNS. Though crime has been registered, the Police have not extended any protection to the lawful activity of the writ petitioners.

3. Now, the petitioners seek direction to the Police to provide necessary protection for carrying out their lawful activities pursuant to the license granted by the Andhra Pradesh State Aquaculture Development Authority under the Andhra Pradesh State Aquaculture Development Authority Rules, 2020.

4. Heard learned counsel for the petitioners and learned Assistant Government Pleader for Home appearing for the respondents.

5. Learned Assistant Government Pleader for Home submitted written instructions furnished by the 5th respondent. Pursuant to the complaint dated

13.05.2026, it is stated that the Police have registered a case in Crime No.94 of 2026 for the aforesaid offences and the investigation is in progress. Further contended that the Police authorities are not competent to grant Police protection mechanically or as a matter of course, unless there are specific directions issued by a competent Court of law, or unless there exists an imminent threat perception warranting immediate preventive action under law. It is also stated that the Police are duty bound to act impartially and cannot extend continuous police protection to private individuals in relation to civil or property disputes in the absence of specific orders of this Hon'ble Court or material establishing extraordinary circumstances.

6. As seen from the instructions, as the petitioners are carrying out the aqua culture operations pursuant to a licence granted under statute, and the activity is within the designated aqua zone. As such, the activity is a lawful one and permissible under law. Every citizen has a right to carry on business, which is a fundamental right. If any obstruction is caused to such lawful activity, the authorities are required to extend necessary protection, subject to law, to ensure that such lawful activity is not hindered by unlawful interference.

7. At this juncture, learned Assistant Government Pleader submitted that the Police will provide necessary Bandobusth as and when required, if any obstruction is caused in carrying out the legally permitted activities of petitioners.

8. Recording the said instructions, the Writ Petition is disposed of directing the Police to provide necessary protection as and when required to the

petitioners for carrying out their lawful activities, so as to ensure that peace and tranquillity is maintained in the locality. No order as to costs.

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

JUSTICE BALAJI MEDAMALLI

Dt.21.05.2026

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Dt.21.05.2026

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