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APHC010203412026



**IN THE HIGH COURT OF ANDHRA PRADESH  
AT AMARAVATI [0]  
(Special Original Jurisdiction)**

THURSDAY, THE SIXTEENTH DAY OF APRIL  
TWO THOUSAND AND TWENTY SIX

**PRESENT**

**HON'BLE SRI JUSTICE VENKATESWARLU NIMMAGADDA**

**WRIT PETITION NO: 10165/2026**

**Between:**

1. C ATHISAYANATHAN, S/O. C. CHISTYAN, AGED ABOUT  
84 YEARS, EX SERVICEMAN, R/O. D NO. 7-94, SHANTHI  
NAGAR, MR PALLI, TIRUPATHI -2, NOW TIRUPATHI  
DISTRICT ERSTWHILE CHITTOOR DISTRICT

**...PETITIONER**

**AND**

1. THE STATE OF AP, REP BY ITS PRINCIPAL  
SECRETARY, ENDOWMENTS DEPARTMENT,  
SECRETARIAT BLDGS, VELGAPUDI, GUNTUR  
DISTRICT. 522503

2. THE COMMISSIONER OF ENDOWMENTS,  
DEPARTMENT GOLLAPUDI, VIJAYAWADA, NTR  
DISTRICT 521225.

3. THE DY COMMISSIONER OF ENDOWMENTS  
DEPARTMENT, KURNOOL, KURNOOL DISTRICT.  
518533,

4. THE ASSISTNT COMMISSIONER OF ENDOWMENTS,  
TIRUPATHI, TIRUPATHI DISTRICT. 517507

5.THE DISTRICT COLLECTOR, TIRUPATHI DISTRICT,  
TIRUPATHI. 517507

6.THE SUPERINTENDENT OF POLICE, TIRUPATHI,  
TIRUPATHI DISTRICT. 517507

7.THE STATION HOUSE OFFICER, MR PALLE P.S.  
TIRUPATI, TIRUPATI DISTRICT. 517507

8.PANGALURI SEETHAMMAGARI SATRAM PVT LTD, REP  
BY ITS CHAIRMAN, HOLDING OFFICE AT NEW STREET,  
TIRUPATHI, TIRUPATI DISTRICT 51750

**...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 topleased to issue a writ, order or direction more particularly one in the nature of Mandamus, to declare the acts on the part of 8TRH respondent seeks to demolition compound wall, well grown trees including shed erected by the petitioner ignoring petitioners continuous long stand possession for the property situated at besides bearing Door No. 23-7-94/A, Shanthi Nagar, MR Palle, Tirupati Urban, Tirupati District amounts to erroneous, arbitrary and violative of Articles 14 and 21 of the Constitution of India besides violative of principles of natural justice and consequently direct the respondent No. 8 not to demolition or dispossess the petitioner for the property besides bearing Door No. 23- 7-94/A, Shanthi Nagar, MR Palle, Tirupati Urban, Tirupati District in the interest of justice and to pass

**Counsel for the Petitioner:**

1. T C KRISHNAN

**Counsel for the Respondent(S):**

1. GP FOR HOME

2. GP FOR REVENUE

3. GP FOR ENDOWMENTS

**HON'BLE SRI JUSTICE VENKATESWARLU NIMMAGADDA**

**W.P.No.10165 of 2026**

This Court made the following

**ORDER:**

1. This writ petition is filed under Article 226 of the Constitution of India seeking the following relief:

“..to issue a writ, order or direction more particularly one in the nature of Mandamus, to declare the acts on the part of 8<sup>TH</sup> respondent seeks to demolition compound wall, well grown trees including shed erected by the petitioner ignoring petitioner's continuous long stand possession for the property situated at besides bearing Door No. 23-7-94/A, Shanthi Nagar, MR Palle, Tirupati Urban, Tirupati District amounts to erroneous, arbitrary and violative of Articles 14 and 21 of the Constitution of India besides violative of principles of natural justice and consequently direct the respondent No.8 not to demolish or dispossess the petitioner for the property besides bearing Door No. 23-7-94/A, Shanthi Nagar, MR Palle, Tirupati Urban, Tirupati District in the interest of justice and to pass...”

2. During hearing, learned counsel for the petitioner, without touching the merits of the case, requested this Court to issue a direction to the respondents not to dispossess the petitioner from his land, without following due process of law.

3. Learned Assistant Government Pleader for Respondents, admitted that the petitioner is continuing in the possession of subject land and the respondents authorities would follow due process of law and requested to pass appropriate orders.

4. Learned counsel for the Petitioner submits that the petitioner is in possession and enjoyment of the property in an extent of Ac.0.05 cents admeasuring 24 X 26 in Sy.No.302 of Shanti Nagar, MR Palle, Tirupathi. By considering long standing possession of the Petitioner over the subject property Door Number was also assigned by the authorities.

5. While things stood thus, on 22.03.2026 the representatives of the 8<sup>th</sup> respondent came to petitioner's site and took measurements despite petitioner resist, with men and machinery they demolished part of petitioner compound wall on 09.04.2026 which was raised by the petitioner about 40 years back wherein and whereby petitioner planted several trees namely Banana, Coconut, Tamarind, Neemtree and other trees and erected small shed. Then the petitioner brought to their notice that the petitioner is in continuous long standing possession for the past

40 years and requested not to demolish the compound wall. But the petitioner's request kept in dormant and they demolished part of compound wall, with highhandedly takes law in to their hands and threatened the petitioner and his wife, say so if go for further obstruction they would take coercive steps. Hence the writ petition.

6. It is settled proposition of law that when the petitioner is in settled possession and enjoyment of the property, the respondents are not entitled to interfere with the possession and enjoyment of the petitioner and such highhanded action of the respondents would amount to depriving the petitioner's constitutional right guaranteed under Article 300-A of the Constitution of India, besides violation of Article 14 of the Constitution of India. Even assuming for a moment that this petitioner's possession is illegal, still, the petitioner is required to be afforded an opportunity before taking appropriate action and in view of the law declared by the Apex Court in "**Rame Gowda (dead) by L.Rs. v. M.Varadappa Naidu (Dead) by L.Rs.**"<sup>1</sup>, when the petitioner is in settled possession and enjoyment of the property, he cannot be dispossessed, without following due

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<sup>1</sup> 2004 (1) SCC 769

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process of law. Therefore, the respondents are directed not to dispossess the petitioner from his property, except by due process of law.

7. With the above direction, the writ petition is disposed of, with the consent of both the counsel. No costs.

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

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**VENKATESWARLU NIMMAGADDA, J**

DT: 16.04.2026

**NOTE:** Issue CC by 17.04.2026

(B/o)

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**HON'BLE SRI JUSTICE VENKATESWARLU NIMMAGADDA**

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**W.P.No.10165 of 2026**

**DT: 16.04.2026**

**NOTE: Issue CC by 17.04.2026**

(B/o)  
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