

**WRIT APPEAL NO: 592 of 2025**

Nallaballe Sreenivas and others

...Appellants

Vs.

The State of A.P. and another

...Respondents

Advocate for appellants : Sri Doddaka Harsha Vardhan

Advocate for respondents : Learned Government Pleader for
Municipal Administration and Urban
Development,
Ms. Gnanusha, learned counsel
representing Sri G. Lakshmi Narayana,
learned Standing Counsel for R-2.

**CORAM : THE CHIEF JUSTICE DHIRAJ SINGH THAKUR
SRI JUSTICE RAVI CHEEMALAPATI****DATE : 9th May 2025****P C :**

The present Writ Appeal has been preferred against the judgment and order dated 04.04.2025 passed in Writ Petition No.577 of 2025.

2. The petitioners, who claim to be in occupation of a parcel of land belonging to the Government, had sought appropriate orders with a view to protect their possession over the same and to prevent the authorities from evicting the petitioners from the premises in question. The petition came to be dismissed by virtue of the judgment and order impugned on the ground that

the petitioners had failed to place on record any documents which would otherwise support the claim of the petitioners over the subject property.

The argument that electric connections had also been made available in regard to the subject property, it was held, would not confer any right or entitlement to the petitioners over the subject land. The learned single Judge also did not find any irregularity in the procedure that had been followed by the official respondents as per law in initiating the eviction proceedings. In that view of the matter, the petition was dismissed, which is now under challenge before this Court.

3. The only argument advanced by the learned counsel for the appellants is that the learned single Judge had failed to notice that during the pendency of the writ petition before the learned single Judge and in the interregnum, the Government had come out with a scheme of regularization of unauthorized occupation over Government Land and therefore, since there did exist a right in the petitioners, the petitioners ought to have been protected.

It was stated that despite the fact that a copy of G.O.Ms.No.30, REVENUE (LANDS.I) DEPARTMENT, dated 29.01.2025 by virtue of which the scheme had been framed by the Government was placed on record by virtue of a memo, no notice of the same has been taken by the learned single Judge and the petition was dismissed.

4. We have heard the learned counsel for the parties.

5. It appears to us that the learned single Judge had confined his consideration to the reliefs that had been prayed for in the writ petition and the arguments that had been advanced during the course of hearing before it. In case the petitioners had appropriately amended the writ petition at the appropriate time and in case the learned single Judge had omitted to notice the arguments advanced during the course of hearing in the judgment and order impugned, in those circumstances, it would be appropriate for the petitioners to file a review petition before the learned single Judge.

6. Mere filing of a memo accompanied with a copy of the regularization scheme would not itself have been sufficient to claim any omission on the part of the Court to grant an appropriate relief more so, when there was no specific direction sought in the petition in the light of the scheme of regularization. Even otherwise the regularization scheme reference to which has been made by the learned counsel before us, needs to be gone into minutely, as the scheme to us is not meant to cover every case of unauthorized occupation over Government Land. The presence of a scheme for regularization may, in fact, is an independent cause of action for which the petitioners perhaps may have a remedy yet again before the Court.

7. However, insofar as the present appeal is concerned, having gone through the judgment and order impugned, we do not find any illegality or perversity in the order impugned, which we find is in accordance with law.

8. Accordingly, this Writ Appeal is dismissed. No order as to costs.
Pending miscellaneous applications, if any, shall stand closed.

DHIRAJ SINGH THAKUR, CJ

RAVI CHEEMALAPATI, J

AMD

15

**HON'BLE MR. JUSTICE DHIRAJ SINGH THAKUR, CHIEF JUSTICE
&
HON'BLE MR. JUSTICE RAVI CHEEMALAPATI**

WRIT APPEAL NO: 592 of 2025

Dt:09.05.2025

AMD