

APHC010591702025



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

[3457]

MONDAY, THE TENTH DAY OF NOVEMBER
TWO THOUSAND AND TWENTY FIVE

PRESENT

THE HONOURABLE SRI JUSTICE HARINATH.N

WRIT PETITION NO: 30830/2025

Between:

Raja Reddy and Others

...PETITIONER(S)

AND

The State Of Andhra Pradesh and Others

...RESPONDENT(S)

Counsel for the Petitioner(S):

1. HARINATH REDDY SOMA

Counsel for the Respondent(S):

1. POTHAM VENGALA REDDY SC For M. Corporation in
Rayalaseema region.

2. GP MUNICIPAL ADMN AND URBAN DEV AP

The Court made the following:

THE HON'BLE SRI JUSTICE HARINATH.N

WRIT PETITION No.30830 OF 2025

ORDER:

1. The petitioner is aggrieved by the impugned notice dated 06.10.2025 whereby the petitioner is said to have constructed by encroaching on the road margin and that the said encroachment is coming in the way of widening of road which is proposed.
2. The learned counsel for the petitioner submits that the respondent authorities on the same date issued another notice duly intimating the petitioner that the building constructed over the property of the petitioner was in dangerous position and that the structure is required to be demolished keeping in view the safety of the citizens. The petitioner filed W.P. No.29001 of 2025 challenging the notice dated 06.10.2025 whereby the petitioner was informed to remove the alleged encroachment. This Court, vide order dated 17.10.2025, disposed of the writ petition directing the respondents therein not to dispossess the petitioner from their property without following due process of law. It was also made clear that the respondents would have to follow the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013 in the event the property of the petitioner is required for road widening.

3. The learned counsel further submits that the respondent authorities have now devised a new method of taking over the petitioner's property and have issued the impugned notice again on 06.10.2025 notifying that the building of the petitioner is precarious. It is submitted that, except the compound wall, there is no structure constructed in the property.
4. The learned standing counsel appearing for the 2nd respondent submits that the said notice was issued to remove the compound wall.
5. Be that as it may, it is evident that the respondent authorities are devising innovative methods for taking over the property of the petitioner without following the law of the land. This Court made it amply clear to the respondent authorities, while disposing of W.P. No. 29001 of 2025, that they must invoke the provisions of the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013. Unmindful of these directions, the issuance of the present notice calling upon the petitioner to remove a building which does not exist speaks volumes of the manner in which the respondent authorities are discharging their official duties.
6. Considering the submissions, the writ petition is allowed, directing the respondent authorities neither to dispossess nor to demolish the compound wall of the petitioner. It is also made clear that any requirement of the property of the petitioner for the purpose road widening or any other public purpose, the respondent authorities shall

have to follow Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013. No costs.

7. Miscellaneous petitions, if any, pending in this writ petition shall stand closed.

JUSTICE HARINATH.N

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