

APHC010052132026



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

[3558]

MONDAY, THE NINTH DAY OF FEBRUARY
TWO THOUSAND AND TWENTY SIX

PRESENT

THE HONOURABLE SRI JUSTICE CHEEKATI MANAVENDRANATH ROY

THE HONOURABLE SRI JUSTICE TUHIN KUMAR GEDELA

WRIT APPEAL NO: 119/2026

Writ Appeal under clause 15 of the Letters Patent to allow the Writ Appeal by setting aside the Judgment rendered by the learned Single Judge in W.P. No. 35445 of 2025 dated 19.12.2025 and grant the relief as prayed by the Appellant and pass

Between:

1. SHAIK MOHAMMAD RAFI SAIT,, S/O. NAZEER SAIT SHAIK, AGED ABOUT 54 YEARS, OCC. PRIVATE EMPLOYEE, R/O. D.NO. 65-5-424, 5/3 LANE, AZAD NAGAR, ANANDAPET, PONNUR ROAD, GUNTUR, GUNTUR DISTRICT, PIN. 522003.

...APPELLANT

AND

1. THE STATE OF ANDHRA PRADESH, REPRESENTED BY ITS PRINCIPAL SECRETARY, REVENUE DEPARTMENT, SECRETARIAT, VELAGAPUDI, AMARAVATHI PIN. 522241
2. THE TAHSILDAR, EAST MANDAL, GUNTUR, GUNTUR DISTRICT-522001
3. SHAIK MOHAMMED ABDUL MUNEER, S/O RAWOOF, AGED ABOUT 60 YEARS, R/O D.NO. 17-17-6, 8TH LINE, ANANDAPET, GUNTUR DISTRICT. PIN. 522003
4. SHAIK UMME KULSUM, W/O SUBHANI AGED ABOUT 58 YEARS, OCC. HOUSEWIFE, R/O D.NO. 15-13-237, 2ND LINE, R.T.C.

COLONY, GUNTUR, GUNTUR DISTRICT. PIN. 522003

...RESPONDENT(S):

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 suspend the order dated: 19.12.2025 made in W.P. 35445 of 2025, pending disposal of the above appeal and pass

Counsel for the Appellant:

1.A K KISHORE REDDY

Counsel for the Respondent(S):

1.S SATYANARAYANA MOORTHY

2.GP FOR REVENUE

The Court made the following:

JUDGMENT:- (Per Hon'ble Sri Justice Cheekati Manavendranath Roy)

Aggrieved by the order dated 19.12.2025 of the learned Single Judge passed in W.P.No.35445 of 2025, whereby the 2nd respondent-Tahsildar in the said writ petition was directed not to entertain any complaints pertaining to the civil disputes and thereby closed the writ petition, the instant appeal has been preferred by the 3rd respondent therein.

2. Heard learned counsel for the appellant and learned counsel for the respondents.

3. The respondents 3 and 4 herein are the writ petitioners in W.P.No.35445 of 2025. The appellant herein is the respondent No.3 in the writ petition.

4. The parties will be referred to as they are arrayed in the writ petition for the sake of convenience.

5. Both the writ petitioners and the respondent No.3 are adjacent land owners. They have a dispute relating to survey numbers pertaining to their respective lands. A suit for injunction was filed by the writ petitioners in the trial Court against the 3rd respondent. It was dismissed. The first appeal preferred there against was also dismissed. Second appeal was filed by the writ petitioners in the High Court and during pendency of the second appeal, both the parties have entered into a compromise and settled the dispute outside the Court. A joint memo relating to terms of the settlement was executed between both the parties. It was filed in the second appeal. Considering the same and recording the terms of the joint memo, the second appeal was disposed of in the High Court, as the matter was settled out of the Court.

6. In the meanwhile, it appears that the survey number of the land of the writ petitioners was rectified in the revenue record. The 3rd respondent has filed a written representation before the 2nd respondent-Tahsildar relating to the said entry made in the revenue record pertaining to the land of the writ petitioners. On the basis of the said representation, the 2nd respondent-Tahsildar has issued a notice to the writ petitioners calling for their explanation. On receipt of the said explanation, the writ petitioners have filed the writ petition challenging the said notice issued to them by the Tahsildar and sought the relief claimed in the writ petition.

7. After hearing both the parties, the learned Single Judge, by the impugned order, directed the Tahsildar not to entertain any complaints in relation to the civil disputes pending in the Court and thereby closed the writ petition.

8. In fact, no civil dispute is pending for adjudication in the civil Court. Only an execution petition in terms of the joint memo relating to the settlement arrived at outside the Court was pending. The execution petition cannot be termed as a *lis* relating to adjudication of any rights. It only pertains to execution of a decree which is validly passed in a Court of law.

9. At any rate, as the grievance of the 3rd respondent is only relating to the entries that are made in the revenue record relating to rectification of the survey number of the land of the writ petitioners, if at all, he got any grievance relating to the said entries made in the revenue record, he has to seek his remedy by way of filing an appropriate application as contemplated under the Andhra Pradesh Rights in Land and Pattadar Pass Books Act, 1971 (for short "the Act"). The Tahsildar cannot entertain any claim based on a simple representation made in writing or a complaint.

10. Therefore, this Writ Appeal is disposed of with a direction to the appellant, who is the 3rd respondent in the writ petition to file an appropriate

application under the Act relating to his grievance before the competent authority, relating to the said entry made in the revenue record pertaining to the land of the writ petitioners. If any such application is filed by the appellant / 3rd respondent before the competent authority, he has to consider and dispose of the same, according to law, after issuing notices to the respondents 3 and 4 herein, who are the writ petitioners, and after hearing both the parties. There shall be no order as to costs.

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

JUSTICE CHEEKATI MANAVENDRANATH ROY

JUSTICE TUHIN KUMAR GEDELA

Date: 09.02.2026

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THE HON'BLE SRI JUSTICE CHEEKATI MANAVENDRANATH ROY

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