



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

[3233]

**TUESDAY, THE TENTH DAY OF FEBRUARY
TWO THOUSAND AND TWENTY SIX**

PRESENT

THE HONOURABLE SRI JUSTICE B KRISHNA MOHAN

W.P. Nos.3501 and 3531 of 2024

WRIT PETITION NO: 3501/2024

Between:

- 1.YELAKALA VENKATI, , S/O VENKATANAIDU AGED ABOUT 65 YEARS R/O BC COLONY, BUDARAVALLASA VIZIANAGARAM DISTRICT.
- 2.YELAKALA SATYAVATHI,, D/O SARIDI SURRAPUUDU AGED ABOUT 58 YEARS, R/O BC COLONY BUDARAVALLASA, VIZIANAGARAM DISTRICT.
- 3.YELAKALA CHAKRADHAR RAO, , S/O VENKATI AGED ABOUT 36 YEARS, R/O BC COLONY BUDARAVALLASA, VIZIANAGARAM DISTRICT.
- 4.YELAKALA POORNACHANDRA RAO,, S/O VENKTA NAIDU AGED AROUND 50 YEARS, R/O BC COLONY, BUDARAVALLASA, VIZIANAGARAM DISTRICT.
- 5.YELAKALA SHANMUKHA RAO, , S/O VENKATA NAIDU, AGED ABOUT 65 YEAR, R/O BC COLONY BUDARAVALLASA VIZIANAGARAM DISTRICT
- 6.YELAKALA LAKSHAMANA RAO, S/O VENKATA NAIDU AGED ABOUT 65 YEARS, R/O BC COLONY BUDARAVALLASA, VIZIANAGARAM DISTRICT

...PETITIONER(S)

AND

1. THE STATE OF AP, REP BY ITS PRINCIPAL SECRETARY,
REVENUE DEPARTMENT, A.P SECRETARIAT, VELAGAPUDI,
AMARAVATHI
2. THE DISTRICT COLLECTOR, VIZIANAGARAM
3. THE REVENUE DIVISIONAL OFFICER, MERAKAMUDIDAM
MANDAL, VIZIANAGARAM DISTRICT
4. THE MANDAL REVENUE OFFICER, MERAKAMUDIDAM
MANDAL, VIZIANAGARAM DISTRICT
5. THE VILLAGE REVENUE OFFICER, BUDAVARALSA VILLAGE,
MERAKAMUDIDAM MANDAL, VIZIANAGARAM DISTRICT

...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 Pleased to issue a writ, order or direction more particularly one in the nature of the writ of MANDAMUS declaring (i) the action of the Respondents in unilaterally enumerating/updating the subject lands located in Budarayavalasa Village, Merakamudidam Mandal, Vizianagaram District covered under Khata Nos. 461, 187, 427, 679, 678 and 677 (Subject Lands) in the disputed register of lands without any prior notice or knowledge of the respective owners (ii) the action of the Respondent No.4 in unilaterally removing the digital signature against the subject lands as being arbitrary, illegal, unjust, without jurisdiction and contrary to the AP Rights in Land and Pattadar Pass Books Act, 1971 and Andhra Pradesh Rights in Land and Pattadar Pass Books Rules, 1989 besides being violative of principles of natural justice and the fundamental rights of the Petitioners guaranteed under Articles 14, 21 and 300A of the Constitution of India and consequently direct the (i) Respondents herein to remove the subject lands from the disputed register of lands (ii) Respondent No. 4 to restore the digital signature against the subject lands and/or pass

IA NO: 1 OF 2024

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 Pleased direct the Respondent No. 4 to restore the digital signature against the respective survey numbers located in

Budarayavalasa Village, Merakamudidam Mandal, Vizianagaram District covered under the Khata Nos. 461, 187, 427, 679, 678 and 677 and pass

IA NO: 2 OF 2024

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 direct the Respondents No. 2 to 5 herein to consider the representation dated 04.12.2023 submitted by the Petitioners herein and pass

IA NO: 3 OF 2024

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 Pleased direct the Respondents to remove the subject lands located in Budarayavalasa Village, Merakamudidam Mandal, Vizianagaram District covered under Khata Nos. 461, 187, 427, 679, 678 and 677 from the dispute register and pass

IA NO: 4 OF 2024

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 pleased to grant leave to the Respondent No.4 in the WP.No.3501/2024 to file the counter affidavit in the above writ petition and pass

Counsel for the Petitioner(S):

1.JYOTHI RATNA ANUMOLU

Counsel for the Respondent(S):

1.GP FOR REVENUE (AP)

WRIT PETITION NO: 3531/2024**Between:**

- 1.YELAKALA VENKATI, S/O VENKATANAIDU AGED ABOUT 65 YEARS R/O BC COLONY, BUDARAVALLASA VIZIANAGARAM DISTRICT.
- 2.YELAKALA SATYAVATHI,, D/O SARIDI SURRAPUUDU AGED ABOUT 58 YEARS, R/O BC COLONY BUDARAVALLASA, VIZIANAGARAM DISTRICT.
- 3.YELAKALA CHAKRADHAR RAO,, S/O VENKATI AGED ABOUT 36 YEARS, R/O BC COLONY BUDARAVALLASA, VIZIANAGARAM DISTRICT.
- 4.YELAKALA POORNACHANDRA RAO,, S/O VENKTA NAIDU AGED AROUND 50 YEARS, R/O BC COLONY, BUDARAVALLASA, VIZIANAGARAM DISTRICT. .
- 5.YELAKALA SHANMUKHA RAO,, S/O VENKATA NAIDU, AGED ABOUT 65 YEAR, R/O BC COLONY BUDARAVALLASA VIZIANAGARAM DISTRICT
- 6.YELAKALA LAKSHAMANA RAO, S/O VENKATA NAIDU AGED ABOUT 65 YEARS, R/O BC COLONY BUDARAVALLASA, VIZIANAGARAM DISTRICT

...PETITIONER(S)**AND**

- 1.STATE OF ANDHRA PRADESH, REP' BY ITS PRINCIPAL SECRETARY, REVENUE DEPARTMENT, A.P SECRETARIAT, VELAGAPUDI, AMARAVATHI
- 2.THE DISTRICT COLLECTOR, VIZIANAGARAM
- 3.THE REVENUE DIVISIONAL OFFICER, MERAKAMUDIDAM MANDAL, VIZIANAGARAM DISTRICT
- 4.THE MANDAL REVENUE OFFICER, MERAKAMUDIDAM MANDAL, VIZIANAGARAM DISTRICT
- 5.THE VILLAGE REVENUE OFFICER, BUDAVARALLASA VILLAGE,

MERAKAMUDIDAM MANDAL, VIZIANAGARAM DISTRICT

...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 a writ, order or direction more particularly one in the nature of the writ of MANDAMUS declaring the endorsement vide Rc. No. 11/2024A dated 08.01.2024 issued by the 4th Respondent refusing to restore the digital signature in respect of the lands covered under Sy. Nos. 182- 74, 182-82, 177-2, 32-21 and 32-32 located in Budarayavalasa Village, Merakamudidam Mandal, Vizianagaram District on the premise of pendency of the Suit vide OS No. 58/2021 on the file of the Honble Junior Civil Judge Cheepurapalli as being arbitrary, illegal, unjust, without jurisdiction and contrary to the AP Rights in Land and Pattadar Pass Books Act, 1971 and Andhra Pradesh Rights in Land and Pattadar Pass Books Rules, 1989 besides being violative of principles of natural justice and the fundamental rights of the Petitioners guaranteed under Articles 14, 21 and 300A of the Constitution of India and consequently set aside the impugned endorsement issued by the 4th Respondent Respondents to remove the lands covered under Sy. Nos. 182-74, 182- and direct the Respondents to remove the lands covered under Sy. Nos. 182-74, 182-82, 46-6, 46-7, 46-8, 177-2, 32-21 and 32-32 located Budarayavalasa Village, Merakamudidam Mandal, Vizianagaram District from the disputed register of lands and to restore the digital signature against the afore said survey numbers and/or pass any such

IA NO: 1 OF 2024

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 may be pleased direct the Respondents No. 2 to 5 herein to consider the representation dated 04.12.2023 submitted by the Petitioners herein and pass any such

IA NO: 2 OF 2024

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 may be pleased direct the Respondent No. 4 to restore the digital signature against the lands covered under Sy. Nos. 182- 74,

182-82, 46-6, 46-7, 46-8, L77-2, 32-21 and 32-32 located in Budarayavalasa Village, Merakamudidam Mandal, Vizianagaram District and pass any such

IA NO: 3 OF 2024

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 may be pleased to direct the Respondents to remove the lands covered under Sy. Nos. 182-74, 182-82, 46-6, 46-7, 46-8, 177-2, 32-21 and 32-32 located in Budarayavalasa Village, Merakamudidam Mandal, Vizianagaram District from the dispute register and pass any such

IA NO: 4 OF 2024

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 pleased to grant leave to the Respondent No.4 in the WP.No.3531/2024 to file the counter affidavit in the above writ petition

Counsel for the Petitioner(S):

1.JYOTHI RATNA ANUMOLU

Counsel for the Respondent(S):

1.GP FOR REVENUE

The Court made the following Common Order:

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

2. The 1st writ petition i.e., W.P. No.3501 of 2024 was filed questioning the action of the respondents in unilaterally enumerating/ updating the subject lands located in Budarayavalasa Village, Merakamudidam Mandal, Vizianagaram District covered under Khata Nos.461, 187, 427, 679, 678 & 677 (subject lands) in the disputed register of lands without any prior notice or knowledge of the respective owners; and the action of the 4th respondent in unilaterally removing the digital signature against the subject lands.

3. The 2nd writ petition i.e., W.P. No.3531 of 2024 was filed questioning the endorsement vide Rc.No.11/2024A dated 08.01.2024 issued by the 4th respondent refusing to restore the digital signature in respect of the lands covered under Sy.Nos.182-74, 182-82, 177-2, 32-21 and 32-32 located in Budarayavalasa Village, Merakamudidam Mandal, Vizianagaram District on the premise of pendency of the suit vide O.S. No.58/2021 on the file of Junior Civil Judge, Cheepurapalli.

4. On the other hand, the learned Assistant Government Pleader referring to the counter of the 4th respondent in the 1st writ petition submits that the subject lands are in dispute between the writ petitioners and the 3rd parties in civil suit O.S. No.58/2021 on the file of Junior Civil

Judge, Cheepurapalli i.e., Yelakala Jogi Naidu and Yelakala Pentaiah respectively who are not made as party respondents in these writ petitions. The writ petitioners and their opposite parties are frequently quarreling against the possession and enjoyment of the subject lands by creating law and order problem in the village. Hence, so as to maintain law and order in the village, the subject lands are kept in the disputed register subject to the outcome of the above said civil suit. As could be verified from the 2nd writ petition, the then Tahsildar, Merakamudidam Mandal, not issued any notice before invoking the digital signature and placing in dispute register respectively.

5. In view of the above said facts and circumstances, the petitioners are permitted to make representation to the 3rd respondent enclosing all the necessary documents in support of their claim within a period of four (4) weeks from the date of receipt of this order. On receipt of the same, the 3rd respondent is directed to consider and dispose of the said representation of the petitioners strictly in accordance with law by hearing all the parties concerned including the petitioners and others, upon verification of the records and the subject lands, appropriate decision shall be taken on its own merits as expeditiously as possible preferably within a period of four (4) months thereafter.

6. In view of the orders passed above, no further orders are necessary in the 2nd writ petition except setting aside of the impugned

endorsement of the 4th respondent dated 08.01.2024 so as to enable the 3rd respondent to proceed with the above said exercise. Accordingly, it is set aside herewith.

7. Accordingly, the writ petitions are disposed of. Interim order, if any, deemed to have been vacated. There shall be no order as to costs.

As a sequel, Miscellaneous Petitions pending, if any, shall stand closed.

JUSTICE B KRISHNA MOHAN

10.02.2026
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