



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

[3458]

FRIDAY, THE TWENTY FOURTH DAY OF APRIL
TWO THOUSAND AND TWENTY SIX

PRESENT

THE HONOURABLE SMT JUSTICE KIRANMAYEE MANDAVA

WRIT PETITION NOS: 22575 of 2020, 3319, 7650 & 7830 of 2021

WRIT PETITION NO: 22575/2020

Between:

1.M/S SAI KRUPA THEATRE, REPRESENTED BY M.SAI LAXMI (ONE OF THE PARTNERS) W/O M.S.B.CHALAPATHI RAO AGED 57 YEARS R/O INDU FORTUNE FIELDS, KPHB VII PHASE, KUKATPALLY, HYDERABAD

...PETITIONER

AND

1.THE STATE OF ANDHRA PRADESH, REPRESENTED BY ITS PRINCIPAL SECRETARY, DEPARTMENT OF REVENUE, SECRETARIAT, VELAGAPUDI, AMARAVATHI, GUNTUR DISTRICT

2.THE CHIEF COMMISSIONER OF LAND ADMINISTRATION, GOLLAPUDI, VIJAYAWADA KRISHNA DISTRICT

3.THE DISTRICT COLLECTOR, KRISHNA DISTRICT AT MACHILIPATNAM

4.THE SUB COLLECTOR, VIJAYAWADA, KRISHNA DISTRICT

5.THE TAHSILDAR, JAGGAIAHPET MANDAL, KRISHNA DISTRICT

6.THE SUB REGISTRAR OF ASSURANCES, JAGGAIAHPET, KRISHNA DISTRICT

7.GANDIKOTA SRAVAN KUMAR, S/O SRI RAMACHANDRA MURTHY, AGED 35 YEARS, OCC. ARCHAKA D.NO. 8 - 2, 1, SATYANARAYANAPURAM, JAGGAYYAPETA, KRISHNA DISTRICT.

R7 IS IMPLEADED AS PER THE ORDER OF THIS COURT, DT. 08.11.2023 VIDE ORDER PASSED IN I.A.1 OF 2023.

...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 or Writs, Order or Direction, more particularly one in the nature of Writ of Mandamus, declaring the action of 5th Respondent in communicating to the 6th Respondent a list of prohibited properties, which include land in Sy No. 278/1B of Jaggaiahpet Town, covering petitioner's cinema theatre over an extent of Ac.0.52 cents and issuing the impugned Notice vide No. Rc.A.421/2015 dated 12.10.2020 to the petitioner under Section 7 of Andhra Pradesh Escheats and Bona Vacantia Act, 1974 as bad, arbitrary, contrary to the provisions of Andhra Pradesh Escheats and Bona Vacantia Act, 1974 and also offends elementary principle of law of jurisprudence apart from being violative of principles of natural justice and also offends Arts. 14, 21 and 300-A of Constitution of India and pass

IA NO: 1 OF 2020

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 direct the Respondent Nos. 5 & 6 not to take any action pending disposal of Enquiry under Section 7 of Andhra Pradesh Escheats & Bona Vacantia Act, 1974 pursuant to Notice of the 5th respondent vide Rc.A.421/2015 dated 12.10.2020, pending disposal of the above Writ Petition and pass

IA NO: 1 OF 2023

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 Implead petitioner/Proposed 6th Respondent as 6th Respondent in W.P.No.22575/2023 in the interest of Justice and equity and pass

IA NO: 2 OF 2023

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 grant leave to the respondent NO.5 to file counter affidavit and pass

IA NO: 3 OF 2023

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 vacate the interim orders dated 01-12-2020 passed in WP.No. 22575 of 2020 and dismiss the writ petition and pass

IA NO: 4 OF 2023

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 issue a direction for mentioning the petitioner as respondent No. 7 in the above writ petition allowing the present for being mention petition and pass

Counsel for the Petitioner:

1.M VIDYAVATHI

Counsel for the Respondent(S):

1.GP FOR REVENUE

2.T B L MURTHY

WRIT PETITION NO: 3319/2021

Between:

1. PULLAMSETTY KOTESHWARA RAO, S/O JOGAIAH, AGED ABOUT 60YRS R/O H.NO.10-407, JAGGAIAHPET KRISHNA DISTRICT
2. PULLAMSETTY PRAMEELA RANI, W/O KOTESHWAR RAO AGED ABOUT 53YRS R/O H.NO.10-407/7, JAGGAIAHPET KRISHNA DISTRICT
3. LOTTAPALLI RAJYALAKSHMI, W/O VENKAT RAO AGED ABOUT 37YRS, R/O SY.NO.278/1, JAGGAIAHPET KRISHNA DISTRICT
4. KOTI VIJAYALAKSHMI, W/O RAMAKRISHNA AGED ABOUT 50YRS R/O H.NO.8-1/16A, JAGGAIAHPET KRISHNA DISTRICT
5. NAKIRIKANTI ANANTHA VENKATA LAKSHMI, PRASANNA KUMARI W/O SRI RAM MURALI AGED ABOUT 39YRS, R/O SY.NO.278/1, JAGGAIAHPET KRISHNA DISTRICT
6. VELPULA RAMA RAO, S/O KRISHNAIAH AGED ABOUT 52YRS R/O H.NO.8-31/J4, JAGGAIAHPET KRISHNA DISTRICT

7. LAVANGI VIJAYA, W/O MOJESH AGED ABOUT 59YRS R/O H.NO.8-1/7, JAGGAIAHPET KRISHNA DISTRICT
8. KETHAVARAPU PADMAVATHI, W/O LATE DURGA RAO AGED ABOUT 50YRS R/O H.NO.10-407/9, JAGGAIAHPET KRISHNA DISTRICT
9. CHERUKURI PADMA, W/O LATE LAKSHMANA RAO AGED ABOUT 58YRS R/O H.NO.8-31/J5, JAGGAIAHPET KRISHNA DISTRICT
10. KALAVAPALLI SUNANDA, W/O RAJU AGED ABOUT 50YRS R/O H.NO.10-407/1, JAGGAIAHPET KRISHNA DISTRICT
11. GURRAM KIRAN KUMAR, S/O NAGESHWARA RAO AGED ABOUT 39YRS R/O H.NO.278/1, JAGGAIAHPET KRISHNA DISTRICT
12. BHARATHA RAMMORTHY, S/O DURGA RAO AGED ABOUT 52YRS R/O H.NO.8-1/12B, JAGGAIAHPET KRISHNA DISTRICT
13. ERRAMSETTI SARASWATHI, W/O VENKATESHWARLU AGED ABOUT 70YRS R/O H.NO.10-407/2, JAGGAIAHPET KRISHNA DISTRICT
14. MEKALA RAMALAKSHMI, W/O MURALI AGED ABOUT 50YRS R/O H.NO.10-407/11, JAGGAIAHPET KRISHNA DISTRICT
15. MORE RAMADEVI, W/O NAGESHWARA RAO AGED ABOUT 49YRS R/O H.NO.10-407/12, JAGGAIAHPET KRISHNA DISTRICT
16. TENE KRISHNA SULOCHANA, W/O KRISHNA RAO AGED ABOUT 60YRS R/O H.NO.8-1/11, JAGGAIAHPET KRISHNA DISTRICT
17. SAMUDRALA SUBRAMANYAM, S/O LAKSHMI GOPALAM AGED ABOUT 42YRS R/O SY.NO.278/1, JAGGAIAHPET KRISHNA DISTRICT
18. CHITTORI LAKSHMI PRAMEELA, W/O NAGESHWARA RAO AGED ABOUT 45YRS R/O SY.NO.278/1, JAGGAIAHPET KRISHNA DISTRICT
19. KANDIBANDA KRISHNA MURTHY, S/O NARASIMHAM AGED ABOUT 75YRS R/O H.NO.8-2/4, JAGGAIAHPET KRISHNA DISTRICT
20. PENUMALLI DHANAMMA, W/O SESHAGIRI RAO AGED ABOUT 59YRS R/O SY.NO.278/1, JAGGAIAHPET KRISHNA DISTRICT

21. PENUMALLI VENKATESHWARA RAO, S/O SESHAGIRI RAO AGED ABOUT 41YRS R/O SY.NO.278/1, JAGGAIAHPET KRISHNA DISTRICT
22. SHAIK HABIB, W/O KHASIM AGED ABOUT 58YRS R/O H.NO.8-1/23, JAGGAIAHPET KRISHNA DISTRICT
23. PANCHADI PADMA, W/O RAMANA RAO AGED ABOUT 49YRS R/O SY.NO.278/1, JAGGAIAHPET KRISHNA DISTRICT
24. PALAVAYI BALAJI, S/O JANARDHANA RAO AGED ABOUT 37YRS, R/O SY.NO.278/1, JAGGAIAHPET KRISHNA DISTRICT
25. MUTHYALA SAMPOORNA, W/O RAMU AGED ABOUT 38YRS R/O H.NO.8-1/12E, JAGGAIAHPET KRISHNA DISTRICT
26. PALAVAYI SRIDEVI, W/O VENKATESHWAR RAO AGED ABOUT 36YRS R/O SY.NO.278/1, JAGGAIAHPET KRISHNA DISTRICT
27. THOTA LAKSHMI, W/O RAMANA AGED ABOUT 46YRS R/O H.NO.8-31/J4, JAGGAIAHPET KRISHNA DISTRICT
28. SYED FEER, S/O BASHA AGED ABOUT 43YRS R/O H.NO.8-1/12D, JAGGAIAHPET KRISHNA DISTRICT
29. BHARATA VIJAYALAKSHMI, W/O SREENIVASA RAO AGED ABOUT 42YRS R/O SY.NO.278/ 1, JAGGAIAHPET KRISHNA DISTRICT
30. TANGELLA ANJANEYA RAJU, S/O SATYANARAYANA RAJU AGED ABOUT 37YRS R/O SY.NO.278/1, JAGGAIAHPET KRISHNA DISTRICT
31. TANGELLA JYOTHI, W/O ANJANEYA RAJU AGED ABOUT 32YRS R/O SY.NO.278/1, JAGGAIAHPET KRISHNA DISTRICT
32. SHAIK AHMED, S/O MADAR SAHEB AGED ABOUT 31 YRS R/O H.NO.8-3/4A, JAGGAIAHPET KRISHNA DISTRICT
33. SHAIK MEHABOABI, W/O LATE MADER SAHEB AGED ABOUT 60YRS R/O H.NO.8-3/4, JAGGAIAHPET KRISHNA DISTRICT
34. JANITHI VENKATESHWARLU, S/O VAIKUNTAM AGED ABOUT 60YRS R/O H.NO.8-1/10A, JAGGAIAHPET KRISHNA DISTRICT

- 35.THEERTHALA BAIA VIMALA DEVI, W/O SRINIVASA RAO AGED ABOUT 43YRS, R/O H.NO.8-1/8, JAGGAIAHPET KRISHNA DISTRICT
- 36.NAKIRIKANTI KRISHNA RAO, S/O NAGABHUSHANAM AGED ABOUT 65YRS R/O H.NO.8-6/1, JAGGAIAHPET KRISHNA DISTRICT
- 37.BOMMI VENKAT RAO, S/O VENKATESHWARLU AGED ABOUT 48YRS R/O H.NO.10-407/9C, JAGGAIAHPET KRISHNA DISTRICT
- 38.M.SHAKEENA KUMARI, W/O MODUGAMUDI JOSEPH BABU AGED ABOUT 50YRS R/O H.NO.8-1/12C, JAGGAIAHPET KRISHNA DISTRICT
- 39.SOURASHTRA VENKATA LAKSHMI, W/O RANGA RAO AGED ABOUT 52YRS R/O SY.NO.278/1, JAGGAIAHPET KRISHNA DISTRICT
- 40.YERRAPOTHU SRINIVASA RAO, S/O GANGADHARA RAO AGED ABOUT 49YRS R/O SY.NO.278/1, JAGGAIAHPET KRISHNA DISTRICT
- 41.YERRAPOTHI RAJANI, W/O YERRAPOTHU MURALI AGED ABOUT 45YRS R/O SY.NO.278/1, JAGGAIAHPET KRISHNA DISTRICT
- 42.LAKSHMISETTI PURNACHANDRA RAO, S/O SIVA RAO AGED ABOUT 35YRS R/O SY.NO.278/1, JAGGAIAHPET KRISHNA DISTRICT
- 43.KONGARA VENU BABU, S/O RAMA RAO AGED ABOUT 32YRS R/O H.NO.8-1/12C, JAGGAIAHPET KRISHNA DISTRICT
- 44.THUMULURI PRASAD BABU, S/O VENKATA SUBBAIAH AGED ABOUT 49YRS R/O H.NO.10-470, JAGGAIAHPET KRISHNA DISTRICT
- 45.VELAGABOINA ISRAIL, S/O BIKSHAM AGED ABOUT 48YRS R/O SY.NO.278/1, JAGGAIAHPET KRISHNA DISTRICT
- 46.VELAGABOINA MANJULA, W/O ISRAIL AGED ABOUT 40YRS R/O SY.NO.278/ 1, JAGGAIAHPET KRISHNA DISTRICT
- 47.PASUMARTHY HEMALATHA, W/O HANUMANTHA RAO AGED ABOUT 42YRS R/O SY.NO.278/1, JAGGAIAHPET KRISHNA DISTRICT

DISTRICT

- 48.MARAGANI VENU, S/O GIRI AGED ABOUT 35YRS R/O SY.NO.278/1, JAGGAIAHPET KRISHNA DISTRICT
- 49.PEDDAPAKA BHAGYAMMA, W/O BABU VIJAYA KUMAR AGED ABOUT 55YRS R/ O H.NO.8-1/ 16, JAGGAIAHPET KRISHNA DISTRICT
- 50.EMANA SWAPNA, W/O RAMA RAO AGED ABOUT 36YRS R/O SY.NO.278/ 1, JAGGAIAHPET KRISHNA DISTRICT
- 51.EMANA SRINIVASA RAO, S/O VEERA RAGHAVULU AGED ABOUT 42YRS R/O SY.NO.278/1, JAGGAIAHPET KRISHNA DISTRICT
- 52.LAKSHMISETTI KOTAIAH, S/O GOVINDAIAH AGED ABOUT 76YRS R/ O H.NO.8-1/9, JAGGAIAHPET KRISHNA DISTRICT
- 53.VEMULA RADHA, W/O MOHAN AGED ABOUT 40YRS R/O H.NO.8-1/14, JAGGAIAHPET KRISHNA DISTRICT
- 54.VALAGANI JAYASHREE, W/O GOPI KRISHNA AGED ABOUT 40YRS R/O SY.NO.278/1, JAGGAIAHPET KRISHNA DISTRICT
- 55.VEMULA SRAVANTHI, W/O RAMAKRISHNA AGED ABOUT 36YRS R/O SY.NO.278/1, JAGGAIAHPET KRISHNA DISTRICT
- 56.KOTHAPALLI MEENAKSHI DEVI, W/O BALA NEHRU AGED ABOUT 52YRS R/O SY.NO.278/1, JAGGAIAHPET KRISHNA DISTRICT
- 57.BOJANAPALLI DEVI, W/O MOHAN RAO AGED ABOUT 58YRS R/O SY.NO.278/1, JAGGAIAHPET KRISHNA DISTRICT
- 58.DANTHALA SRINIVASA RAO, S/O PITCHAIAH AGED ABOUT 35YRS R/O SY.NO.278/1, JAGGAIAHPET KRISHNA DISTRICT
- 59.THONDAPU MOHAN, S/O THONDAPU BRAHMANANDAM AGED ABOUT 40YRS R/O H.NO.8-1/3, JAGGAIAHPET KRISHNA DISTRICT
- 60.KONKIMALLA NAGA VISHWANATHAM, S/O NAGESHWAR RAO AGED ABOUT 29YRS R/O SY.NO.278/1, JAGGAIAHPET KRISHNA DISTRICT
- 61.PASUPULETI SAMBA SIVA RAO, S/O APPA RAO AGED ABOUT 58YRS R/O SY.NO.278/1, JAGGAIAHPET KRISHNA DISTRICT

- 62.P.SOMASEKHAR, S/O PIRATLA RAMA RAO AGED ABOUT 40YRS
R/O SY.NO.278/1, JAGGAIAHPET KRISHNA DISTRICT
- 63.EGA RAMU, S/O LAKSHMAIAH AGED ABOUT 32YRS R/O
SY.NO.278/1, JAGGAIAHPET KRISHNA DISTRICT
- 64.KURUKUNTLA TIRUPATHI VENKATESHWARLU, S/O GURUVAIAH
AGED ABOUT 73YRS R/O H.NO.8-3/3, JAGGAIAHPET KRISHNA
DISTRICT
- 65.NOMULA VENKATA SUBBA RAO, S/O VENKATA RAJA BOPALAM
AGED ABOUT 53YRS R/O H.NO.8-3/1A, JAGGAIAHPET KRISHNA
DISTRICT
- 66.VEMULA DURGA PRASAD, S/O RAMA SURYAM AGED ABOUT
58YRS R/O SY.NO.278/1, JAGGAIAHPET KRISHNA DISTRICT
- 67.NOMULA SIVA KUMAR, S/O RAJESHWARA RAO AGED ABOUT
41YRS R/O SY.NO.278/1, JAGGAIAHPET KRISHNA DISTRICT
- 68.TIRUPATHI ANURADHA, W/O KIRAN AGED ABOUT 38YRS R/O
H.NO.8-1000, JAGGAIAHPET KRISHNA DISTRICT
- 69.ADAPA SUGUNA, W/O SAMBASIVA RAO AGED ABOUT 62YRS
R/O H.NO.10-407/3, JAGGAIAHPET KRISHNA DISTRICT

...PETITIONER(S)

AND

- 1.THE TAHSILDAR, JAGGAIAHPET, KRISHNA DISTRICT
- 2.THE DISTRICT COLLECTOR, MACHILIPATNAM, KRISHNA DISTRICT
- 3.THE CHIEF COMMISSIONER OF LAND ADMINISTRATION,
VIJAYAWADA, KRISHNA DISTRICT
- 4.THE STATE OF ANDHRA PRADESH, REP. BY ITS PRINCIPAL
SECRETARY REVENUE DEPARTMENT SECRETARIAT,
VELAGAPUDI AMARAVATHI, GUNTUR 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 writ of Mandamus to declare the action of the respondent No.1 in issuing the

Impugned notice in Rc.A.421/2015, dt.12-10-2020 under Sec.7 of the A.P. Escheats 86 Bona Vacantia Act and the consequential Notice in Form-II, dt.23-01-2021 under Sec.11(1) of the A.P. Escheats and, Bona Vacantia Act as arbitrary, illegal, contrary to the provisions of A.P. Escheats and Bona Vacantia Act and beyond jurisdiction and consequently set aside the Impugned notice in Rc.A.421/2015, dt.12-10-2020 under Sec.7 of the A.P. Escheats 86 Bona Vacantia Act and the consequential Notice in Form-II, dt.23-01- 2021 under Sec.1 1(1) of the A.P. Escheats and Bona Vacantia Act issued by the respondent No.1 in the interest of justice.

IA NO: 1 OF 2021

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 Impugned notice in RC A 421/2015,dt 12-10-2020 under sec 7 of the A.P escheats and Bona Vacantia Act and the consequential Notice i Form-II dt 23-01-2012 under Sec 11 (1) of the A.P escheats and Bona Vacantia Act issued by by the respondent No.1 the pending disposal of the Writ Petition in the interest of justice.

IA NO: 1 OF 2025

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 Pleaded to vacate the Interim order dated 15.02.2021 in IA No. 1 of 2021 in W.P.No: 3319 of 2021 and dismiss the Writ Petition and pass

Counsel for the Petitioner(S):

1.B SARVOTHAM REDDY

Counsel for the Respondent(S):

1.GP FOR REVENUE (AP)

WRIT PETITION NO: 7650/2021

Between:

1.AKULA SAI VIJAYA NAGA PADMAVATHI, W/O AKULA SWATHI KUMAR AGE.45YEARS,DOOR NO.2-158, JAGGAIAHPET VILLA,9EA. MANDAL, KRISHNA DISTRICT

...PETITIONER

AND

- 1.THE STATE OF ANDHRA PRADESH, REP. BY ITS PRINCIPAL SECRETARY REVENUE DEPARTMENT, SECRETARIAT, VELAGAPUDI, AMRAVATHI GUNTUR DISTRICT.
- 2.THE CHIEF COMMISSIONER OF LAND ADMINISTRATION, VIJAYAWADA, KRISHNA DISTRICT
- 3.THE DISTRICT COLLECTOR, MACHILIPATNAM, KRISHNA DISTRICT.
- 4.THE TAHSILDAR, JAGGAIAHPET KRISHNA 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 an appropriate Writ, Order or Direction, more particularly one in the nature of Writ of Mandamus, declaring the Proceedings No. Settle II(1)/15/2018 dated 28-02-2018 of the Commissioner (Appeals), Chief Commissioner of Land Administration, Gollapudi, passed by the 2nd respondent, and the consequential Proceedings No. REV-ESECOLEA(GEN)/44/2015-JA(E4)-KCO dated 05-09-2020 of the District Collector, Krishna, Machilipatnam appointing the Tahsildar, Jaggayyapet as Local Officer, and the Notice Rc.A.421/2015 dated 12-10-2020 and 23.01.2021 issued by the Tahsildar, Jaggayyapet under Sections 7, 9 and 11(1) of the A.P. Escheats and Bona Vacantia Act, 1974 and Rules framed thereunder, as illegal, arbitrary, irrational, without jurisdiction, violative of principles of natural justice and contrary to Articles 14, 21 and 300-A of the Constitution of India and consequently set aside the same and direct the respondents not to interfere with the petitioners' peaceful possession and enjoyment of the land admeasuring 145.3 Sq yards in R.S.No. 278/1B of Jaggayyapet Village and Mandal, Krishna District and pass such other or further orders as this Hon'ble Court may deem fit and proper in the circumstances of the case. The Prayer is amended as per Court Order dt.16.03.2026 in I.A.No.1 of 2026

IA NO: 1 OF 2021

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 Impugned notice in RC A 421/2015,dt 12-10-2020 under sec 7 of the A P Escheats and Bona Vacantia Act and the consequential Notice Form-II dt 23-01-2021 under Sec 11 1 of the A.P escheats and Bona Vacantia Act

issued by the respondent No 1 pending disposal of the above writ petition and to pass such other order or orders as this Hon'ble Court may deem fit just and proper in the circumstances of the case

IA NO: 1 OF 2025

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 vacate the interim order dated 06.04.2021 in WP.No.7650 of 2021 and dismiss the Writ Petition and pass

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 permit the petitioners to amend the main prayer in the Writ Petition and Writ Affidavit by substituting the following prayer for the existing one: "It is therefore humbly prayed that this Hon'ble Court may be pleased to issue an appropriate Writ, Order or Direction, more particularly one in the nature of Writ of Mandamus, declaring the Proceedings No. Settle 11(1)/15/2018 dated 28-02-2018 of the Commissioner (Appeals), Chief Commissioner of Land Administration, Gollapudi, passed by the 2nd respondent, and the consequential Proceedings No. REV- ESECOLEA(GEN)/44/2015-JA(E4)-KCO dated 05-09-2020 of the District Collector, Krishna, Machilipatnam appointing the Tahsildar, Jaggayyapet as Local Officer, and the Notice Rc.A.421 /2015 dated 12-10-2020 and 23.01.2021 issued by the Tahsildar, Jaggayyapet under Sections 7, 9 and 11(1) of the A.P. Escheats and Bona Vacantia Act, 1974 and Rules framed thereunder, as illegal, arbitrary, irrational, without jurisdiction, violative of principles of natural justice and contrary to Articles 14, 21 and 300-A of the Constitution of India; and consequently set aside the same and direct the respondents not to interfere with the petitioners' peaceful possession and enjoyment of the land admeasuring 145.3 Sq yards in R.S.No. 278/1 B of Jaggayyapet Village and Mandal, Krishna District and pass such other

IA NO: 2 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 May be pleased to grant leave to the Petitioner in W.P. No.7650 of 2024 to file reply affidavit by condoning the delay and consequently order to receive the Counter Affidavit on record and pass

Counsel for the Petitioner:

1.AVANIJA INUGANTI

Counsel for the Respondent(S):

1.GP FOR REVENUE

WRIT PETITION NO: 7830/2021

Between:

- 1.APPANA VENKATA SATYA SAIBABU, S/O VENKATAKRISHNAIAH, AGED 59 YEARS, OCC- BUSINESS.
- 2.APPANALAXMI DEVI,, W/O. LATE MOHAN RAO AGED- 71 YEARS, HOUSEWIFE
- 3.APPANA KAMESWARI,, W/O. K. CHAITANYA PRASAD AGED- 35 YEARS, HOUSEWIFE, ALL THE PETITIONERS RESIDING AT A-304, KOUSTUBHANIVAS KUMMARIPALEM CENTRE, VIDYADHARAPURAM, VIJAYAWADA - 12, KRISHNA DISTRICT.

...PETITIONER(S)

AND

- 1.STATE OF ANDHRA PRADESH, REP. BY ITS PRINCIPAL SECRETARY TO GOVERNMENT, REVENUE DEPARTMENT, SECRETARIAT, VELAGAPUDI, AMARAVATI, GUNTUR DISTRICT.
- 2.THE CHIEF COMMISSIONER OF LAND ADMINISTRATION, GOLLAPUDI, VIJAYAWADA, KRISHNA DISTRICT.
- 3.THE DISTRICT COLLECTOR, KRISHNA DISTRICT AT MACHILIPATNAM.
- 4.THE SUBCOLLECTOR, VIJAYAWADA, KRISHNA DISTRICT.
- 5.TAHSILDAR, JAGGAIAHPET MANDAL, KRISHNA DISTRICT.
- 6.GANDIKOTA SRAVAN KUMAR S/O SRI RAMA CHANDRA MURTHY, AGED 35 YEARS, OCC ARCHAKA ,D.NO. 8-2,1 SATYANARAYANAPURAM, JAGGAYYAPETA, KRISHNA DISTRICT. R6 IS IMPEADED AS PER THE COURT ORDER DT 22.04.2021 VIDE ORDER PASSED IN I.A. 02 OF 2021.

...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 an appropriate Writ, Order or Direction, more particularly one in the nature of Writ of Mandamus, declaring the Proceedings No. Settle II(1)/15/2018 dated 28 02 2018 of the Commissioner (Appeals), Chief Commissioner of Land Administration, Gollapudi, passed by the 2nd respondent, and the consequential Proceedings No. REV-ESECOLEA (GEN) /44/2015-JA(E4)-KCO dated 05 09 2020 of the District Collector, Krishna, Machilipatnam appointing the Tahsildar, Jaggayyapet as Local Officer, and the Notice Rc.A.421/2015 dated 12 10 2020 and 23.01.2021 issued by the Tahsildar, Jaggayyapet under Sections 7, 9 and 11(1) of the A.P. Escheats and Bona Vacantia Act, 1974 and Rules framed thereunder, as illegal, arbitrary, irrational, without jurisdiction, violative of principles of natural justice and contrary to Articles 14, 21 and 300-A of the Constitution of India and consequently set aside the same and direct the respondents not to interfere with the petitioners' peaceful possession and enjoyment of the land admeasuring Ac. 2.15 cents in R.S.No. 278/1B of Jaggayyapet Village and Mandal, Krishna District and pass such other or further orders as this Hon'ble Court may deem fit and proper in the circumstances of the case. The Prayer is amended as per Court Order dt.16.03.2026 in I.A.No.1 of 2026

IA NO: 1 OF 2021

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 operation of proceedings initiated by 5th respondent in Rc. A.421/2015, dt. 09.01.2021 and dt. 23.01.2021 and consequently direct the respondents not to interfere in any manner with the possession of petitioners over their properties covered thereby, pending disposal of the main Writ Petition and pass

IA NO: 2 OF 2021

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 Implead Petitioner herein the Proposed 6th Respondent as 6th Respondent in W.P.No.7830/2021 and miscellaneous petition in the interest of justice and equity and pass

IA NO: 1 OF 2025

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 vacate the interim order dated 07.05.2021 in IA.No.1 of 2021 in WP.No.7830 of 2021 and dismiss the writ petition and pass

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 may be pleased to permit the petitioners to amend the main prayer in the Writ Petition and Writ Affidavit by substituting the following prayer for the existing one: "It is therefore humbly prayed that this Hon'ble Court may be pleased to issue an appropriate Writ, Order or Direction, more particularly one in the nature of Writ of Mandamus, declaring the Proceedings No. Settle 11(1)/15/2018 dated 28-02-2018 of the Commissioner (Appeals), Chief Commissioner of Land Administration, Gollapudi, passed by the 2nd respondent, and the consequential Proceedings No. REV-ESECOLEA(GEN)/44/2015-JA(E4)-KCO dated 05-09-2020 of the District Collector, Krishna, Machilipatnam appointing the Tahsildar, Jaggayyapet as Local Officer, and the Notice Rc.A.421/2015 dated 12- 10-2020 and 23.01.2021 issued by the Tahsildar, Jaggayyapet under Sections 7, 9 and 11(1) of the A.P. Escheats and Bona Vacantia Act, 1974 and Rules framed thereunder, as illegal, arbitrary, irrational, without jurisdiction, violative of principles of natural justice and contrary to Articles 14, 21 and 300-A of the Constitution of India; and consequently set aside the same and direct the respondents not to interfere with the petitioners' peaceful possession and enjoyment of the land admeasuring Ac. 2.15 cents in R.S.No. 278/1 B of Jaggayyapet Village and Mandal, Krishna District and pass

IA NO: 2 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 grant leave to the Petitioner in W.P.No.7830 of 2021 to file Reply affidavit by condoning the delay and consequently order to receive the Counter Affidavit on record and pass

Counsel for the Petitioner(S):

1.V.N.V.SURYA DATTU

Counsel for the Respondent(S):

1. GANDIKOTA SRAVAN KUMAR, PARTY IN PERSON
- 2.GP FOR REVENUE

THE HONOURABLE SMT JUSTICE KIRANMAYEE MANDAVA**WRIT PETITION NOS: 22575 of 2020, 3319, 7650 & 7830 of 2021****The Court made the following Common Order:**

Heard Sri N. Subba Rao, learned Senior Counsel appearing for Sri V.N.V. Surya Dattu, learned counsel for the petitioners in W.P.No.7830 of 2021, Smt. M. Vidyavathi, learned counsel for the petitioner in W.P.No.22575 of 2020 and the learned Assistant Government Pleader for Revenue. No representation for the unofficial respondent No.6.

W.P.Nos.7830, 3319 & 7650 of 2021

The property involved in these writ petitions is located in the same survey number R.S.No.278/1, 1B Jaggaiahpet Village and Mandal, Krishna District.

W.P.No.3319 of 2021 & W.P.No.7650 of 2021:

2. The challenge in the Writ Petitions is to the notice issued under Section 7 of the Andhra Pradesh Escheats and Bona Vacantia Act, 1974 (for short 'the Act'), dated 12.10.2020 and consequential notice, in Form-II dated 23.01.2021 issued under Section 11(1) of the Act.

3. It is contended that the petitioners in W.P.No.7650 of 2021 have purchased the subject property through a registered sale deed bearing Doc.No.268/2014, dated 31.01.2014. The petitioners' vendor in turn had

purchased the property in 2011, similarly the petitioners in W.P.No.3319 of 2021.

4. It is contended that the subject property, formed part of the land in Sy. No.125/1 to the extent of Ac.8.21 cents belonged to one Mudumba Srinivasacharyulu, Mudumba Singarayacharyulu and Venkatacharyulu. Subsequently, Sri Mudumba Setagopacharyulu, S/o. Singarayacharyulu sold the said land under a registered sale deed dated 06-12-1905 vide document bearing No.4671905 in favour of one Sri Peruru Suryanarayana. In the auction conducted by the Madras High Court in respect of the judgment and decree in O.S.No.264/1914 passed against the said Peruru Suryanaraya, one Appanna Venkata Krishnaiah had purchased the property. The legal heirs of the Appanana Venkata Krishnaiah had sold the land in favour of Narasimha Dasu and Lakshadi under registered sale deed No.549/1937 dated 03-02-1937. Subsequent thereto several transactions had taken place in respect of the subject land. The petitioners and others have purchased the subject property for valid sale consideration and have constructed residential houses after obtaining due permission from the local authority. The petitioners contend that a part of the total extent of Ac.8.12 cents in R.S.No.278/1, was previously acquired by the respondents for providing house sites to the weaker sections and compensation in that regard was also paid to the petitioner's predecessors in title.

W.P.No.7830 of 2021:

5. The Writ Petition No.7830 of 2021 is filed challenging the proceedings of the Tahsildar, the 5th respondent herein, dated 09-01-2021 and 23.01.2021. in Form-II u/s.11(1) of the Act. After filing of the counter affidavit in the Writ Petition, the petitioner has sought for amendment of prayer, challenging the proceedings of the Commissioner (CCLA), dated 28.02.2018 appointing the Tahsildar as a local officer and the notice issued by the Tahsildar, in the said regard, dated 12.10.2020 and 23.01.2021. Accordingly sought a consequential direction to set aside the same.

6. It is contended that, in the past on a frivolous claim made by a third party in respect of the subject property, that the property belongs to Sri Seetha Rama Swamy and Sri Anjaneya Swamy Temple, an enquiry was conducted by the Assistant Commissioner of Endowments, Vijayawada, and based on the report thus submitted, it has been confirmed by the 3rd respondent vide proceedings dated 05-07-2016 that the land would not belong to the Temple i.e., Sri Seetha Rama Swamy and Sri Anjaneya Swamy Temple and further observed that the land was never included in the list of properties of the said Temple. An endorsement to the said effect was also given to the said third party complainant. Against the said endorsement, an Appeal was filed by the said third party before the 2nd respondent. The respondent No.2 observed that issue should be examined in terms of the provisions of Board Standing Orders - 197 and the provisions of Andhra Pradesh Escheats and Bona Vacantia Act, 1974. Thus set aside the endorsement of the respondent No.3,

dated 05-07-2016. Challenging the said order of the respondent No.2, the petitioner approached this Court by way of a Writ Petition in W.P.No.6287 of 2019. The said Writ Petition was disposed of by this Court directing the District Collector to follow the procedure prescribed under Board Standing Orders-197 and Andhra Pradesh Escheats and Bona Vacantia Act, 1974 and complete the enquiry as expeditiously as possible.

7. In terms of the said direction, the respondent No.5 issued impugned proceedings under Section 11(1) of the said Act, without any enquiry or following any procedure contemplated under the Act.

8. It is contended that the subject property would not fall within the framework of the provisions of the Act. The petitioners have categorically explained their title to the property right from 1905 through a reply notice, dated 12.11.2020. It is contended that without making any reference to the said reply to the show cause notice, the impugned order has been passed.

9. Sri N. Subba Rao, learned Senior Counsel appearing on behalf of Sri V.N.V. Surya Dattu, learned counsel for the petitioners would contend that, the subject property would not fall within the provisions of Andhra Pradesh Escheats and Bona Vacantia Act, 1974, as defined under Section 2(i) of the Act, in as much as the subject property was initially sold by its original owner Sri Mudumba Shata Gopacharyulu in 1905 vide registered sale deed, dated 06.12.1905 bearing Doc.No.467/1905 for a valid sale consideration in favour of one Sri Peruri Surya Narayana. Since the date of the said purchase, Sri

Peruri Surya Narayana was in absolute possession and enjoyment of the property and had established a ginning factory over the subject land. After his lifetime, his legal heirs were enjoying the property. However, one, Sri K. Radha Krishnaiah filed a Suit in O.S.No.264 of 1914 on the file of the High Court of Judicature at Madras against the legal heirs of the said Peruri Surya Narayana and other partners of the said ginning factory. The said suit was decreed. In the execution proceedings of the said Judgment and Decree in O.S.No.264 of 1914, the subject property of an extent of Ac.8.12 cents was purchased by the predecessors of the petitioners for a sum of Rs.20,200/- in Public Auction on 26.04.1919. In pursuance of the said Auction sale, the High Court of Madras issued a sale certificate, dated 05.08.1919 in favour of the auction purchasers, predecessors-in title of the petitioner, Sri Appana Venkata Krishnaiah. The petitioners have inherited the subject property from the said Appana Venkata Krishnaiah as great grandson. In 1976, the respondents have acquired a part of the petitioners' land of Ac.2.52 cents out of the entire extent of Ac.8.12 cents for providing house sites to the weaker sections.

10. The learned Senior Counsel contends that the respondents have accepted the title of the petitioners. To apply the provisions of Act, or to fall within the definition of the words "Bona Vacantia", and "Escheat", as defined under Sec.2(i) and Sec.2(iv) of the Act, respectively the property must have been an abandoned property having no lawful owner. The learned Senior Counsel further argues that it is not the case of the respondents that there is no lawful owner for the proper owner. In the light of chain of title as narrated

in the case of the petitioner (W.P.No.7830 of 2021), the impugned action of the respondents invoking the provisions of the Act, 1974 is not sustainable. The learned Senior Counsel for the petitioners further contends that the Tahsildar has no jurisdiction to issue the impugned proceedings in as much as firstly it should be issued by a 'Local Officer' as provided under Sec.7 of the Act as provided under Sec.5 of the Act, the Government may by notification appoint the District Collectors or other officers as they may deem fit to be the local officer for each district, to exercise the powers and perform the functions assigned under the Act. It is argued that no such notification as provided under sec.5 of the Act was ever issued by the Government appointing either the Tahsildar or such other officers as they deem it fit to be the Local Officer of the District. It is the said Local Officer appointed under the Act, who has to conduct enquiry on receipt of the information that any property of the nature of an Escheat or Bona Vacantia is situated or lying within his jurisdiction, he shall causes enquiry in the said regard. After following the procedure prescribed under the Sec.8 of the Act by causing of such an enquiry, if the specified Local Officer is satisfied that the property of the nature of Escheat or Bona Vacantia is in the possession of a person who has no authority to claim it and if he resists for surrendering of such property, the Local Officer after obtaining sanction of the competent authority institute a Suit in the Court for declaration of the Government right's to the property and for recovery of possession of subject property.

11. It is argued that in the absence of the notification appointing the Tahsildar as the Local Officer, the Tahsildar cannot proceed under the provisions of the Andhra Pradesh Escheats and Bona Vacantia Act, 1974. Thus argues that the impugned proceedings are without jurisdiction and are *non est*.

12. The Tahsildar filed counter affidavit contending that the Writ Petitioners did not submit any proofs in support of their claim for title. It is further argued that pursuant to the directions issued by the Chief Commissioner of Land Administration (CCLA) vide proceedings, dated 28.02.2018, who had directed the District Collector to conduct a fresh enquiry under the provisions of the Board Standing Orders – 197, the District Collector had accordingly while exercising the jurisdiction under Section 5 of the Act appointed the Tahsildar as Local Officer for conducting enquiry.

W.P.No.22575 of 2020

13. Challenging the notice issued by the 1st respondent under the provisions of the Andhra Pradesh Escheats and Bona Vacantia Act, 1974, the instant writ petition is filed.

14. The petitioner which is a partnership firm constructed a Cinema theatre over the subject property of Ac.0.52 cents in R.S.No.278/1, Satyanarayanapuram Area of Jaggaiahpetta Town, Krishna District. The original property was owned by one of the partners namely, Sri Karlapati Siva Rao who relinquished his right in favour of the partnership firm. Since, the

said date of alienation, the partnership firm and the partners are in possession of the property by constructing a cinema theatre and exhibiting the films uninterruptedly.

15. Ms. M. Vidyavathi, the learned counsel for the petitioner contends that Sri Karlapati Siva Rao had acquired the subject property through a gift deed executed by his father, Sri Karlapati Appa Rao, by way of a registered gift deed bearing Doc.No.1202/1997, dated 18.09.1997. It is further contended by the learned Counsel that the provisions of Bona Vacantia Act should not have been invoked in the present case since the property was never an abandoned one. A movie theatre has been in existence and the petitioner partnership has been in occupation of the property. Thus the invocation of the provisions of the Act is misconceived. It is stated that to the impugned notice issued under the provisions of the Act, the petitioner has filed a detailed reply, dated 05.03.2020.

16. Challenging the notice issued under Section 7 of the Act by the Tahsildar, the instant Writ Petition is filed.

17. The learned counsel for the petitioner would contend the petitioners have purchased the lands by way of registered sale deed and they have been in occupation and there was no abandonment of the land by any of the parties. Therefore, the respondents should be directed to delete those subject properties from the category of the prohibited list under Section 22-A(1)(a) of

the Registration Act, 1908. She further relies on latest circular memo issued by the Government, dated 20.04.2026.

18. When the matter has been taken up for consideration today, the learned Assistant Government Pleader for Revenue contends that, pursuant to the directions of the CCLA, the District Collector has directed the Tahsildar to initiate the action in terms of the provisions of the Andhra Pradesh Escheats and Bona Vacantia Act, 1974. Therefore, the impugned proceedings are in accordance with law as the Tahsildar had been authorized, even if there is no notification appointing the Tahsildar as Local Officer as provided under Section 5 of the Act. The learned Government Pleader sought liberty if at all any such notification is issued, to proceed in terms of the provisions of the Act and prayed for the dismissal of the Writ Petition(s).

19. Considered the submissions.

20. For adjudication of the issue in the present Writ Petitions, it is relevant to reproduce the relevant provisions of the Andhra Pradesh Escheats and Bona Vacantia Act, 1974 which are as follows:

"2. Definitions:- In this Act, unless the context otherwise requires,-

(i) "bona vacantia" includes any property, situated in the State of which there is no full owner, but does not include an escheat on any movable property found in a public place;

(ii) "Competent authority" means the chief controlling authority specified in Section 4;

(iii) "Court" means any civil court of competent jurisdiction;

(iv) "escheat" means any property the owner of which dies intestate and without leaving legal heir;

(v) "Government" means the State Government;

(vi) "local officer" means the officer appointed under Section 5;

(vii) "Notification" means a notification published in the Andhra Pradesh Gazette and the word "notified" shall be construed accordingly;

(viii) "Prescribed" means prescribed by rules made by the Government under Act.

5. Local officers:- (1) The Government may, by notification, appoint the District Collector or such other officers as they may deem fit to be the local officers for each district, to exercise the powers and perform the functions assigned by or under this Act, subject to the general control and directions competent authority.

2) The Government may, by notification, appoint such number of other officers as may be necessary for the purposes of this Act, to assist the local officer.

7. Inquiry relating to escheat or bona vacantia by local officer:-

Whenever the local officer receives information from any source that any property of the nature of an escheat or a bona vacantia is situated or lying within his jurisdiction, he shall cause an inquiry to be made in respect thereof."

21. From the above, it is discernible that unless a notification is issued under the Act appointing an officer as a Local Officer, by an appropriate authority, it is not justifiable, to invoke the provisions of the Act. In the facts of the present case, no such notification said to have been issued in terms of the provision of the Act is placed on record. Further the respondent could not

establish nor placed any material before the court that the Tahsildar has been appointed as a Local Officer. I am of the considered view that an executive order without sanction of the statute wouldn't confer jurisdiction on any officer. The respondents have invoked the provisions of the Act, 1974 without any jurisdiction being conferred on them, which is unsustainable.

22. Having regard to the above, the Writ Petitions are disposed of, setting aside impugned proceedings having regard to the fact that the notice issued under the provisions of Section 7 of the Andhra Pradesh Excheats and Bona Vacantia Act, 1974, by the Tahsildar, is without jurisdiction, in the absence of any notification issued under Section 5 of the Act appointing him as Local Officer.

23. In the light of the same, the impugned order(s) are without jurisdiction and the same are accordingly set aside.

24. With the above observation, the Writ Petitions are disposed of. There shall be no order as to costs.

As a sequel, all pending miscellaneous applications shall stand closed.

JUSTICE KIRANMAYEE MANDAVA

Dated: 24-04-2026
MSI

THE HONOURABLE SMT JUSTICE KIRANMAYEE MANDAVA

WRIT PETITION NOS: 22575 of 2020, 3319, 7650 & 7830 of 2021

Dated: 24-04-2026
MSI