

[3332]

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

TUESDAY, THE THIRTEENTH DAY OF FEBRUARY
TWO THOUSAND AND TWENTY FOUR

PRESENT

THE HONOURABLE SRI JUSTICE RAVI CHEEMALAPATI

WRIT PETITION NO: 3114 OF 2024

Between:

1. JADA PREMCHAND, S/o Late J. Jayananda Rao R/o Plot No. 105, Sanjay Delight Enclave, Jagannadharaju Nagar Layout, Isukathota, Visakhapatnam.

...PETITIONER(S)

AND

1. State of Andhra Pradesh, rep. by its Principal Secretary, Registration and Stamps Department, Secretariat Buildings, Velagapudi, Amaravati, Guntur District.
2. The District Collector, Visakhapatnam District, at Visakhapatnam.
3. The Tahsildar, Anandapuram Mandal, Anandapuram, Visakhapatnam District.
4. The District Registrar, Registration and Stamps Department, Visakhapatnam District, Visakhapatnam.
5. The SubRegistrar, Registration and Stamps Department, Anandapuram, Visakhapatnam District.

...RESPONDENTS

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 any writ, order or direction more particularly one in the nature of writ of mandamus declaring the action of the 2nd respondent in including the petitioners lands admeasuring an extent of Ac.2.09 cents in Sy.No. 140/1 and Ac.2.10 cents in Sy.No. 140/3 situated in Kusulavada Village, Anadapuram Mandal, Visakhapatnam District (notified at SI.No.53 and 54) in the prohibited properties list communicated vide Computer No.329159/2022/E3 (lands) dated

15.12.2022 as illegal, arbitrary and violative of Articles 14 and 300-A of the Constitution of India and consequently set aside the above notification insofar as the petitioners land is concerned and delete the same from the prohibited properties list and pass 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 to direct the 3rd respondent not to interfere with the petitioners possession and enjoyment over the land admeasuring an extent of Ac.2.09 cents in Sy.No. 140/1 and Ac.2.10 cents in Sy.No. 140/3 situated in Kusulavada Village, Anadapuram Mandal, Visakhapatnam District, pending disposal of writ petition and to pass such

Counsel for the Petitioner(s):SRI. KOCHIRI RAJA SHEKAR

Counsel for the Respondents: GP FOR REGISTRATION AND STAMPS (AP)

The Court made the following:

When the matter is taken up for consideration today, Sri E.Kumar, learned Assistant Government Pleader for Revenue, submitted written instructions of the Tahsildar-3rd respondent is not clear. The apprehension of the petitioner is that the revenue authorities on the ground that the petitioner's subject property is included in the prohibitory list, high handedly attempting to dispossess the petitioner. The said written instructions do not speak anything in that regard.

Sending such instructions without even looking into the prayer is not proper and justified. In these circumstances, this Court is inclined to order appearance of the Tahsildar concerned to know the true facts.

Accordingly, this Court directs the 3rd respondent-Tahsildar, Anandapuram Mandal, Anandapuram, Visakhapatnam District to appear before this Court in person on 20.02.2024.

Post the matter on 20.02.2024 in the motion list under the caption 'For Appearance'.

Till then, *Status Quo* obtaining as on today shall be maintained with regard to the subject property.

Sd/- S. SRINIVASA PRASAD
ASSISTANT REGISTRAR

//TRUE COPY//

For

SECTION OFFICER

To

1. The Principal Secretary, State of Andhra Pradesh, Registration and Stamps Department, Secretariat Buildings, Velagapudi, Amaravati, Guntur District.
2. The District Collector, Visakhapatnam District, at Visakhapatnam.
3. The Tahsildar, Anandapuram Mandal, Anandapuram, Visakhapatnam District. **(By Speed post along with a direction to appear before this Court on 20.02.2024.)**
4. The District Registrar, Registration and Stamps Department, Visakhapatnam District, Visakhapatnam.
5. The Sub-Registrar, Registration and Stamps Department, Anandapuram, Visakhapatnam District. **(Addressee nos.1,2,4 & 5 by RPAD)**
6. One CC to Sri Kochiri Raja Shekar, Advocate [OPUC]
7. Two CCs to GP for Registration and Stamps, High Court of Andhra Pradesh. [OUT]
8. Two CCs to GP for Revenue, High Court of Andhra Pradesh. [OUT]
9. **One spare copy**

CVSS

HIGH COURT

RC,J

DATED:13/02/2024

POST THE MATTER ON 20.02.2024 IN THE MOTION LIST UNDER THE
CAPTION 'FOR APPEARANCE.'

ORDER

WP.No.3114 of 2024

DIRECTION

