



IN THE HIGH COURT OF ANDHRA PRADESH AT AMARAVATI
THURSDAY, THE EIGHTH DAY OF FEBRUARY,
TWO THOUSAND AND TWENTY FOUR

:PRESENT:

THE HONOURABLE SRI JUSTICE RAVI CHEEMALAPATI

IA No. 1 OF 2024

IN

WP NO: 3164 OF 2024

Between:

1. Datla Surya Narayana Raju, s/o Datla Satyanarayana Raju, aged about 76 years Occ. Business.
2. Datla Bala Venkata Satyanarayana Raju, s/o Surya Narayana Raju, aged about 54 years, occ Business Both are r/o Plot No.257, Road No.6, Kakatiya Hills, Madhapur, Hyderabad

..Petitioners

(Petitioner in WP 3164 OF 2024
on the file of High Court)

AND

1. The State of Andhra Pradesh, rep. by its Principal Secretary, Revenue Department Secretariat, Velagapudi, Amaravati.
2. The District Collector, Eluru District At Eluru.
3. The Revenue Divisional Officer, Pedavegi Revenue Division, Eluru District.
4. The Tahsildar, , Pedavegi Mandal, Eluru District.
5. Buddharaju Suryanarayana Raju, s/o Late Seeta Rama Raju, aged about 78 years Occ: Retired Employee, r/o C-4, Raj Enclave, Seethammadhara, Behind NRI Hospital, Visakhapatnam

...Respondents

(Respondents in-do-)

Counsel for the Petitioners :

SRI K.SHRIKANTH

Counsel for the Respondent Nos.1 to 4:

GP FOR REVENUE

Petition under Section 151 CPC is filed praying that in the circumstances stated in the affidavit filed in support of the writ petition, the High Court may be pleased to pass orders directing the respondent authorities to delete the name of the 5th respondent from the revenue records in respect of the land in Sy.No.249-1 admeasuring Ac. 15.05 cents situated at Munduru village, Pedavegi Mandal, Eluru District, pending disposal of WP No.3164 of 2024, on the file of the High Court.

The court while directing issue of notice to the Respondents herein to show cause as to why this application should not be complied with, made the following order.(The receipt of this order will be deemed to be the receipt of notice in the case).

ORDER:

"Heard Sri Panduranga Rao, learned counsel, representing Sri K.Shrikanth Reddy, learned counsel for the petitioners.

Sri Panduranga Rao, learned counsel, submitted that the petitioners are the absolute owners and possessors of the agricultural land admeasuring Ac.41.05 cents situated at Munduru Village, Pedavegi Mandal, Eluru District. The revenue authorities issued pattadar passbooks and title deeds in favor of the petitioners. Having come to know that, the revenue authorities are mutating the unofficial respondent's name in the revenue records, raised objection and without considering the said objections, the revenue authorities are trying to mutate the names, as such, petitioners constrained to file writ petition *vide* W.P.No.18714 of 2023, wherein this Court passed an order directing the Tahsildar to look into the objections filed by the petitioners before considering the 5th respondent's mutation application. Now without considering the objections filed by the petitioners, the respondent authorities have mutated the unofficial respondent's name in the revenue records and if the said mutation order is allowed to continue, it affects the rights of the petitioners. As such, prayed to pass appropriate orders protecting the interest of the petitioners.

Perused the material available on record.

A perusal of the counter-affidavit filed in W.P.No.18714 of 2023, which is placed on record, goes to show that this Court has directed the Tahsildar to look into the objections filed by the petitioners before mutation takes place, whether the Tahsildar has dealt the objections filed by the petitioners in a right perspective or not and any speaking order has been passed before mutating the 5th respondent's name, a detailed counter is required to be invited from the official respondents as well as the unofficial respondents.

Taking the submissions of learned counsel for the petitioners into consideration, *prima-facie*, a point is made out for consideration, wherein a detailed counter is required to be invited and there is some force in the contention of the learned counsel for the petitioners that, if the impugned order is allowed to continue, it affects the rights of the petitioners, to strike

the balance and to meet the ends of justice, this Court, as an interim measure, is inclined to pass the following order.

The Tahsildar concerned is directed to put the subject property i.e., to an extent of land Ac.15.05 cents in survey No.249-1 situated at Munduru Village, Pedavegi Mandal, Eluru District in the dispute register, pending further orders."

//TRUE COPY//

Sd/- SK. MD. RAFI
ASSISTANT REGISTRAR

For

SECTION OFFICER

To,

1. The Principal Secretary, State of Andhra Pradesh, Revenue Department Secretariat, Velagapudi, Amaravati.
2. The District Collector, Eluru District At Eluru.
3. The Revenue Divisional Officer, Pedavegi Revenue Division, Eluru District.
4. The Tahsildar, Pedavegi Mandal, Eluru District.
5. Buddharaju Suryanarayana Raju, S/o Late Seeta Rama Raju, R/o C-4, Raj Enclave, Seethammadhara, Behind NRI Hospital, Visakhapatnam.
(Addressee Nos.1 to 5 by RPAD)
6. One CC to Sri. K.Shrikanth, Advocate [OPUC]
7. Two CCs to GP for Revenue, High Court of Andhra Pradesh. [OUT]
8. One spare copy

MM

HIGH COURT

RC,J

DATED:08/02/2024

NOTE: POST THE MATTER ON 29.02.2024

ORDER

**IA.No.1 OF 2024
IN
WP.No.3164 of 2024**

DIRECTION

