

**IN THE HIGH COURT OF ANDHRA PRADESH AT AMARAVATHI
(SPECIAL ORIGINAL JURISDICTION)**

FRIDAY, THE FOURTEENTH DAY OF FEBRUARY

TWO THOUSAND AND TWENTY FIVE

:PRESENT:

THE HONOURABLE SMT JUSTICE KIRANMAYEE MANDAVA

WRIT PETITION NO: 3766 OF 2025



Between:

T.M. Sirajuddin, S/o.T.Moddin Sab, Aged about 72 years, Occ:
Agriculturist, R/o.D.No.10-975, Ali Sab Street, Vali Sab road, Kadiri, Sri
Satya Sai District-AP-PIN 515 591

Petitioner

AND

1. The State of Andhra Pradesh, Revenue Department, Secretariat,
Velagapudi, Amaravathi Guntur District-AP Rep. by its Principal
Secretary.
2. The District Collector, Sri Satya Sai District. Puttaparthi- Sri Satya Sai
District-AP- 515 134
3. The District Revenue Officer, Sri Satya Sai District Puttaparthi- Sri
Satya Sai District-AP- 515 134
4. The Revenue Divisional Officer, Kadri, Sri Satya Sai District-AP-PIN
515 591
5. The Tahsildar, Kadiri Mandal, Sri Satya Sai District-AP-PIN 515 591
6. Bhukya Balaji Naik, S/o. Rama Chandra Naik, Aged about 50 years,
R/o.D.No.5-162, Allipur Thanda, H/o.Mutyalacheruvu kadiri Mandal, Sri
Satya Sai District-AP-PIN 515 591

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 a writ, order, or direction, more particularly one in the nature
of a Writ of Mandamus, or any other writ, declaring the action of 3rd

Respondent in entertaining appeal Vide R.C.No.709/2022/BI as illegal, arbitrary, beyond his jurisdiction, contrary to Andhra Pradesh Rights in Land And Pattadar Pass Books Act, 1971 (Act No. 26 Of 1971) and violative of Article 14, 21 and 300-A of the Constitution of India, and consequently direct the respondent No. 3 to terminate the proceedings so as to decide the title dispute through the Civil Court.

IA NO: 1 OF 2025

Petition under Section 151 CPC is filed praying that in the circumstances stated in the grounds filed in support of the petition, the High Court may be pleased to direct the respondents to stay all proceedings pursuant to R.C.No.709/20 22/BI, Pending disposal of WP 3766 of 2025, on the file of the High Court.

The petition coming on for hearing, upon perusing the Petition and the affidavit filed in support thereof and upon hearing the arguments of SRI TAGORE YADAV YARAGORLA, Advocate for the Petitioner, GP FOR REVENUE for the Respondent Nos.1 to 5, the Court made the following ORDER:

“Heard learned counsel for the petitioner.

2. The order impugned in the writ petition is summons issued by the Revenue Divisional Officer, the 3rd/4th respondent herein, dated 16.08.2022. The learned counsel for the petitioner argues that pursuant to the application filed by the 6th respondent before the RDO, the same is taken up as an appeal beyond the period of limitation specified under the statute. Apart from the same, a civil dispute is also pending between the parties, before the Civil Court in O.S.No.669 of 2024. In view of the same, the petitioner prays for interim suspension of the proceedings before the RDO.

3. The petitioner has already appeared before the authority, filed a counter, and has been attending hearings. The last notice was issued in October 2024, requiring the petitioner to appear for hearing on 26.10.2024. Subsequently, the petitioner filed a Civil Suit in O.S.No.669 of

2024. It is contended that if any order is passed in the present proceedings initiated by the RDO, the same will have a bearing on the pending Civil Suit before the Principal Junior Civil Judge, Kadiri. The issue that has arisen in the case is whether the RDO has got jurisdiction, in the facts of the case, to entertain the appeal filed under the provision of the Act, belatedly.

4. The matter requires consideration.

5. This court prima-facie is of the view that until the next date of hearing there shall be an interim suspension of the proceedings that are pending before the 3 rd/4th respondent till the next date of hearing.

6. Learned counsel for the petitioner is permitted to take out notice to the respondent No.6 through Registered Post with Acknowledgment Due and file proof of service in the Registry.

7. List the matter on 17.03.2025."

Sd/- K.TATA RAO
DEPUTY REGISTRAR

//TRUE COPY//

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SECTION OFFICER
For ASSISTANT REGISTRAR

To,

1. The Principal Secretary, Revenue Department, Secretariat,
Velagapudi, Amaravathi Guntur District-AP, State of Andhra Pradesh
(BY SPECIAL MESSENGER).
2. The District Collector, Sri Satya Sai District. Puttaparthi- Sri Satya
Sai District-AP- 515 134
3. The District Revenue Officer, Sri Satya Sai District Puttaparthi- Sri
Satya Sai District-AP- 515 134
4. The Revenue Divisional Officer, Kadri, Sri Satya Sai District-AP-PIN
515 591
5. The Tahsildar, Kadiri Mandal, Sri Satya Sai District-AP-PIN 515 591

6. Bhukya Balaji Naik, S/o. Rama Chandra Naik, Aged about 50 years, R/o.D.No.5-162, Allipur Thanda, H/o.Mutyalacheruvu kadiri Mandal, Sri Satya Sai District-AP-PIN 515 591 (Addressee Nos.2 to 6 by RPAD)
7. One CC to SRI. TAGORE YADAV YARAGORLA Advocate [OPUC]
8. Two CCs to GP FOR REVENUE, High Court Of Andhra Pradesh. [OUT]
9. One spare copy

KJ

HIGH COURT

KM,J

DATED:14/02/2025

LIST THE MATTER ON 17.03.2025

ORDER

WP.No.3766 of 2025

INTERIM SUSPENSION

