

APHC010082452025



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

[3328]

TUESDAY ,THE TWENTY FIFTH DAY OF FEBRUARY
TWO THOUSAND AND TWENTY FIVE

PRESENT

**THE HONOURABLE SRI JUSTICE GANNAMANENI RAMAKRISHNA
PRASAD**

WRIT PETITION NO: 4682/2025

Between:

1.MOLLA MAHABOOB BASHA, S/O MOLLA BADURLA SAHEB, AGED 75, AGRICULTURIST, R/O H.NO. 18-86, SANGAIAH PETA, NANDIKOTKUR TOWN AND MANDAL, NANDYAL DISTRICT.

...PETITIONER

AND

1. THE STATE OF ANDHRA PRADESH, REP, BY ITS PRINCIPAL SECRETARY, REVENUE DEPARTMENT, SECRETARIAT, VELGAPUDI POST, GUNTUR DISTRICT, A.P.
2. THE DISTRICT COLLECTOR, NANDYAL, NANDYALA DISTRICT.,
3. THE JOINT COLLECTOR, NANDYAL, NANDYAL DISTRICT,
4. THE REVENUE DIVISIONAL OFFICER, ATMAKUR DIVISION, NANDYAL DISTRICT.
5. THE TAHSILDAR, JUPADU BUNGLOW MANDAL, NANDYAL DISTRICT.
6. MALLEPOGU DEVAMMA, W/O M.NAGASESHULU, AGED 45 YEARS, R/O JUPADU BUNGLOW VILLAGE AND MANDAL, NANDYALA DISTRICT
7. MADIGA SAROJA, W/O M.YESANNA, AGED 46 YEARS, R/O JUPADU BUNGLOW VILLAGE AND MANDAL, NANDYALA DISTRICT.

8. KASHAPOGU JAYAMMA, W/O K.CHINNA THIMANNA, AGED 42 YEARS, R/O JUPADU BUNGLOW VILLAGE AND MANDAL, NANDYALA DISTRICT
9. BASHAPOGU SUSHEELAMMA, W/O B.CHINNA SWAMY, AGED 36 YEARS, R/O JUPADU BUNGLOW VILLAGE AND MANDAL, NANDYALA DISTRICT.
- 10.JANGALA MOTHU PEDDANNA, S/O MOTHU EDANNA, AGED 56 YEARS, JUPADU BUNGLOW VILLAGE AND MANDAL, NANDYAL DISTRICT.
- 11.JANGALA MOTHU SEKHAR, S/O MOTHU EDANNA, AGED 51 YEARS, JUPADU BUNGLOW VILLAGE AND MANDAL NANDYAL DISTRICT.
- 12.C NAGA BHUSHANAM, S/O CHINNA NARAYANA, AGED 45 YEARS. JOURNALIST, SAKSHI DAILY NEWS PAPER, R/O JUPADU BUNGLOW VILLAGE AFTD MANDAL, NANDYAL DISTRICT. .
- 13.B C GOVARDHANAIHAH, S/O BEEMANNA, AGED 59 YEARS. JOURNALIST, VAARTHA DAILY NEWS PAPER, R/O THANGADANCHU VILLAGE, JUPADU BUNGLOW MANDAL, NANDYAL DISTRICT

...RESPONDENT(S):

Counsel for the Petitioner:

- 1.BUDIGE BHOJA RAAM

Counsel for the Respondent(S):

- 1.GP FOR REVENUE

The Court made the following:

ORAL ORDER:

Heard Sri Budige Bhoja Raam, learned Counsel for the Writ Petitioner and Sri K. Arjun Chowdhary, learned Assistant Government Pleader for Revenue appearing for the Respondent Nos.1 to 5.

2. Learned Counsel for the Writ Petitioner submits that vide Proceedings dated 17.11.2021, the then Tahsildar (Respondent No.5) has reported that no house site pattas were granted in the land in Sy.No.117/B-2 of Thangadancha Village, Jupadu Bunglow Mandal.

3. On account of subsisting disputes between the Petitioner and the Unofficial Respondents (6 to 13), the Unofficial Respondents have filed O.S.No.296/2021 on the file of the Civil Judge (Junior Division), Nandikotkur and the same is pending. It is stated that the said Suit is for grant of Permanent Injunction. Learned Counsel would submit that the Unofficial Respondents herein (Plaintiffs in the Suit) have filed I.A.No.618/2021 before the Civil Court, Nandikotkur. Vide Order dated 16.12.2021, the said I.A., seeking Temporary Injunction was dismissed. It is submitted that the Plaintiffs filed CMA.6/2022 in the Court of Civil Judge (Senior Division), Nandikotkur. Vide Order dated 20.03.2024, wherein the learned Civil Judge (Senior Division), Nandikotkur, was pleased to dismiss the CMA. It is submitted that this Order has attained finality for the time-being, inasmuch as no Revision has been filed before this Court. Learned Counsel for the Writ Petitioner submits that the Unofficial Respondents, having been unsuccessful in their endeavors to obtain any Order of Interim Injunction, have again made an Application before the Tahsildar. The Tahsildar (Respondent No.5), in response to the approach by the Unofficial Respondents, has issued Notice dated 21.01.2025, directing the Writ Petitioner herein to attend the Enquiry on 28.01.2025. It is submitted by the learned Counsel for the Writ Petitioner that the Petitioner did not attend the enquiry and on the other hand, has lodged a Complaint against the Tahsildar (Respondent No.5) on 25.01.2025 (Ex.P.4).

4. Having regard to the facts and circumstances of this case, *prima facie*, this Court is of the opinion that the balance of convenience is in favour of the Writ Petitioner. Accordingly, the impugned Notice bearing Rc.B.22/2025 dated 21.01.2025 issued by the Tahsildar, Jupadu Bunglow Mandal (Respondent No.5) shall remain suspended until further Orders.

5. Having regard to the facts of this case, this Court is *suo moto* inclined to implead the present Tahsildar namely Sri V. Chandra Sekhar Naik, Jupadu Bunglow Mandal as Respondent No.14. Accordingly, Sri V. Chandra Sekhar Naik, Tahsildar, Jupadu Bunglow Mandal, is impleaded as Respondent No.14. Registry is directed to make necessary changes in the Cause-title.

6. Sri K. Arjun Chowdhary, learned Assistant Government Pleader for Revenue has submitted the Written Instruction furnished by the Tahsildar of Jupadu Bunglow Mandal dated 21.02.2025. Copy of it is served on the Counsel for the Writ Petitioner as well. This Written Instruction is taken on record.

7. Learned Counsel for the Writ Petitioner is directed to take out Personal Notice in respect of the Unofficial Respondent Nos.6 to 13 within one week from today and file proof of receipt of Notice within a week thereafter.

8. Sri K. Arjun Chowdhary, learned Assistant Government Pleader for Revenue is directed to communicate the gist of this Order to the newly impleaded Respondent No.14 forthwith.

9. List the matter on 11.03.2025 in the motion list.

GANNAMANENI RAMAKRISHNA PRASAD, J

Dt: 25.02.2025

Vns