

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

TUESDAY, THE EIGHTEENTH DAY OF MARCH
TWO THOUSAND AND TWENTY FIVE

PRESENT

THE HONOURABLE SRI JUSTICE VENKATESWARLU NIMMAGADDA
WRIT PETITION NO: 5722 OF 2025



Between:

Aka Venkata Subramanyam, S/o.Ramarao, Aged about 65 years, Occ: Senior Citizen, R/o.D.No.29-1-103, Brodipet, Guntur, Guntur District.

...PETITIONER

AND

1. The State of Andhra Pradesh, Rep.by its Principal Secretary - Revenue Department, Secretariat, Velagapudi, Guntur District.
2. The District Collector, Guntur, Guntur District,
3. The Revenue Divisional Officer, Guntur Division, Guntur, Guntur District.
4. The Tahsildar, Pedakakani Mandal, Pedakakani, Guntur District.

...RESPONDENTS

Petition under Article 226 of the Constitution of India is filed praying that in the circumstances stated in the affidavit filed therewith, the High Court may be pleased to issue a Writ of Mandamus, or any other appropriate writ, order or direction, declaring the action of the respondents 3 & 4 in not mutating the name of the petitioner in the relevant revenue records for the land in an extent of Ac. 12.04 cents in Sy.Nos.24-1 (Ac.2.89 cents), 24-2 (Ac.2.00 cents), 38 (Ac.5.61 cents) and 39 (Ac. 1.54½ cents) of Pedakakani Village, Pedakakani Mandal, Guntur District though I have submitted representation dated 08.08.2024 requesting to rectification of entries in Record of Rights as illegal, arbitrary and violation of Article 300-A of the Constitution of India and consequently directing the respondents to consider the application NO.MUT250222054761 submitted through Mee-

Seva for mutation of the name of the petitioner in the revenue records under the provisions of AP Rights in Land and Pattadar Pass books Act, 1971.

IA NO: 1 OF 2025

Petition under Section 151 CPC is filed praying that in the circumstances stated in the affidavit filed in support of the petition, the High Court may be pleased to grant interim direction directing the respondent Nos.4 & 5 to consider the Mee-Seva application No.MUT250222054761 submitted by the petitioner for the land in an extent of Ac. 12.04 cents in Sy.Nos.24-1 (Ac.2.89 cents), 24-2 (Ac.2.00 cents), 38 (Ac.5.61 cents) and 39 (Ac.1.54½ cents) of Pedakakani Village, Pedakakani Mandal, Guntur District, pending disposal of the writ petition.

Counsel for the Petitioner(s):SRI. B V ANJANEYULU

Counsel for the Respondent No's. 1 to 4: GP FOR REVENUE

The Court made the following ORDER:



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

[3329]

TUESDAY ,THE EIGHTEENTH DAY OF MARCH
TWO THOUSAND AND TWENTY FIVE

PRESENT

THE HONOURABLE SRI JUSTICE VENKATESWARLU NIMMAGADDA

WRIT PETITION NO: 5722/2025

Between:

Aka Venkata Subramanyam

...PETITIONER

AND

The State Of Andhra Pradesh and Others

...RESPONDENT(S)

Counsel for the Petitioner:

1.B V ANJANEYULU

Counsel for the Respondent(S):

1.GP FOR REVENUE

The Court made the following ORDER:

1. This Writ Petition is filed under Article 226 of the Constitution of India seeking the following relief:

“to issue a Writ of Mandamus or any other appropriate writ order or direction declaring the action of the respondents 3 and 4 in not mutating the name of the petitioner in the relevant revenue records for the land in an extent of Ac.12.04 cents in Sy Nos.24-1 Ac 2.89 cents, 24-2 (Ac 2 00 cents) 38 (Ac.5. 61 cents) and 39 (Ac.1.54 1/2 cents) of Pedakakani Village Pedakakani Mandal Guntur District though I have submitted representation dated 08.08.2024

requesting to rectification of entries in Record of Rights as illegal arbitrary and violation of Article 300A of the Constitution of India and consequently directing the respondents to consider the application NO. MUT250222054761 submitted through MeeSeva for mutation of the name of the petitioner in the revenue records under the provisions of AP Rights in Land and Pattadar Pass books Act 1971 and to pass such other order or orders...”

1. Heard the learned counsel for the petitioner and the learned Government Pleader appearing for the respondents.

2. The case of the petitioner is that, the petitioner submits that the petitioner is the absolute owner and possessor of land measuring to a total extent of Ac. 12.04 cents in Survey Nos. 24-1 (Ac. 2.89 cents), 24-2 (Ac. 2.00 cents), 38 (Ac. 5.61 cents), and 39 (Ac. 1.54 ½ cents) of Pedakakani Village, Pedakakani Mandal, Guntur District. The petitioner acquired this property through a registered Will dated 21.05.1981, executed by his father.

3. The learned counsel for the petitioner submits that the said properties originally belonged to Aka Dandayya Pantulu, the petitioner's grandfather, who executed a settlement deed dated 19.04.1944 in favor of the petitioner's father. The petitioner's father remained in possession of the properties until his demise and, during his lifetime, executed a registered Will dated 21.05.1981, distributing the properties among the petitioner, his brothers, and their mother. The petitioner submitted a representation dated 08.08.2024 to the 4th respondent, requesting the mutation of his name in

the revenue records in respect of the subject properties. However, even after receiving the petitioner's representation dated 08.08.2024, the respondents authorities neither considered the representation nor issued any mutation proceedings in favor of the petitioner. Hence, the present writ petition.

4. On the other hand, the learned Government Pleader for Revenue, appearing for the respondents, submits that if the petitioner submits a fresh representation, the respondents will consider the same and pass appropriate orders in accordance with the law.

5. Having regard to the submissions made by the learned counsel for the petitioner and the learned Government Pleader for Revenue appearing for the respondents, and upon perusal of the material available on record, this Court is of the considered opinion that the present Writ Petition can be disposed of by directing the petitioner to submit an application in Form No.6A seeking for mutation of his name in the revenue records, pursuant to the registered **Will** said to have been executed by his father in the year 1981, within a period of two (02) weeks from the date of receipt of a copy of this order. On receipt of the said representation/application, the respondents shall consider the same and, after issuing notice to the other legal heirs of Aka Dandayya Pantulu (the petitioner's grandfather) and any other stakeholders, including those claiming rights by way of tenancy, encroachment, or occupation, and after having detailed enquiry. Thereafter,

the respondents shall pass appropriate orders within a period of three (03) months, in accordance with the law.

With the above direction, the writ petition is disposed of. There shall be no order as to costs.

Consequently, Miscellaneous Petitions, if any, pending in the writ petition shall stand closed.

//TRUE COPY//

Sd/- K. SRINIVASA RAJU
ASSISTANT REGISTRAR
Po 8k
SECTION OFFICER

To,

1. The Principal Secretary - Revenue Department, State of Andhra Pradesh, Secretariat, Velagapudi, Guntur District.
2. The District Collector, Guntur, Guntur District,
3. The Revenue Divisional Officer, Guntur Division, Guntur, Guntur District.
4. The Tahsildar, Pedakakani Mandal, Pedakakani, Guntur District.
5. One CC to SRI. B V ANJANEYULU, Advocate [OPUC]
6. Two CCs to GP FOR REVENUE, High Court Of Andhra Pradesh.
[OUT]
7. Three CD Copies

PRK

HIGH COURT

DATED:18/03/2025

ORDER

WP.No.5722 of 2025



DISPOSING OF THE W.P. WITHOUT COSTS