



IN THE HIGH COURT OF ANDHRA PRADESH AT AMARAVATI
(SPECIAL ORIGINAL JURISDICTION)
WEDNESDAY, THE FIFTEENTH DAY OF MARCH
TWO THOUSAND AND TWENTY THREE

:PRESENT:

THE HONOURABLE SRI JUSTICE B KRISHNA MOHAN
WRIT PETITION NO: 6206 OF 2023

Between:

R Siva Prasad Reddy, S/o Late R. Sreeramulu Reddy, Aged about 50 years, R/o. Kandukur Village, Anantapuram Mandal, Anantapuramu District.

Petitioner

AND

1. The State of Andhra Pradesh, Rep. by its Principal Secretary, Revenue (Assignment) Department, A.P. Secretariat at Velagapudi, Amaravati, Guntur District.
2. The Commissioner (Appeals), Chief Commissioner of Land Administration, Andhra Pradesh, Mangalagiri, Guntur District.
3. The District Collector, Ananthapuramu District Anantapuram.
4. The Joint Collector, Ananthapuramu District Anantapuram.
5. The Revenue Divisional Officer, Ananthapuram Revenue Division, Ananthapuramu District.
6. The Tahsildar, Ananthapur Mandal Ananthapuramu District.
7. Sri. Itikalapalli Murali, S/o. Late Itikalapalli Harijana Muthyalappa, Aged about 42 years, R/o. Kandukur Village, Anantapuram Mandal, Anantapuramu 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, order or direction more particularly one in the nature of Writ of Certiorari calling for the records in and relating to the order of the 2nd Respondent vide CCLA Proceedings No.BCW1/304/2007 dated 9-5-2011 and set-aside them by holding that the said orders as arbitrary, illegal, irregular, violative of Articles 14, 19(1)(g) and 21 of the Constitution of India.

IA NO: 2 OF 2023:

Petition under Section 151 of 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 direct the Respondents not to dispossess the Petitioner from an extent of Ac.5.14 cents in Sy.No.389/2 of Kandukur Village, Anantapuram Mandal, Anantapuramu District, Pending disposal of WP 6206 of 2023, 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 M CHINNAPA REDDY Advocate for the Petitioner and of GP FOR REVENUE for the Respondent Nos.1 to 6, the Court made the following

ORDER:

“Heard the learned counsel for the petitioner and the learned Assistant Government Pleader for Revenue for the respondents.

The learned Government Pleader for Revenue takes notice for the respondent Nos.1 to 6.

The learned counsel for the petitioner is permitted to take out personal notice to the 7th respondent and proof of service shall be filed within a period of three (03) weeks from today.

The grievance of the writ petitioner is that, the 2nd respondent passed the impugned order dated 09.05.2011 confirming the orders of the 4th respondent dated 27.05.1997 by dismissing the revision petition filed by the petitioner's grandmother on the sole ground that at the time of grant of patta for the said land the grandmother was not the land less poor person and the original assignee is not residing in the said village. Even when the similar order was passed by the 2nd respondent in the earlier round of litigation, the matter was remanded back and still the 2nd respondent confirmed the orders of the 4th respondent dated 27.05.1997.

The learned Senior Counsel for the petitioner relies upon the documents with respect to the subject land in an extent of Acres 5.14 cents in Survey No.389-2 of Kandukur Village, Anantapur Mandal, Anantapuramu District demonstrating the continuous possession of the petitioner's family members and he further asserts that, even before the authorities concerned when the matter is pending there is an order of *status quo*.

On the other hand, the learned Assistant Government Pleader for Revenue appearing for the respondents submits that, the petitioner approached this Court belatedly questioning the impugned order of the 2nd respondent dated 09.05.2011 and as such no interim relief can be granted at this stage.

He further submits that, pursuant to the impugned order of the 2nd respondent dated 09.05.2011 much water has flown by now and it has to be verified with respect to the subject land, the rights of the parties.

In view of the above said facts and circumstances and contentions raised on the both the sides, this Court prima facie feels that no harm would

cause if status quo as on today is maintained for either of the parties with reference to the subject land.

Hence, there shall be an order of status quo as on today to be maintained with respect to the subject land in an extent of Acres 5.14 cents in Survey No.389-2 of Kandukur Village, Anantapur Mandal, Anantapuramu District, pending further orders.

List on 12.04.2023.

In the meanwhile, counters shall be filed by the official respondents."

Sd/- SK.MOHAMMED RAFI
ASSISTANT REGISTRAR

//TRUE COPY//

SECTION OFFICER

To,

1. The Principal Secretary, Revenue (Assignment) Department, State of Andhra Pradesh, A.P. Secretariat at Velagapudi, Amaravati, Guntur District.
2. The Commissioner (Appeals), Chief Commissioner of Land Administration, Andhra Pradesh, Mangalagiri, Guntur District.
3. The District Collector, Ananthapuramu District Anantapuram.
4. The Joint Collector, Ananthapuramu District Anantapuram.
5. The Revenue Divisional Officer, Ananthapuram Revenue Division, Ananthapuramu District.
6. The Tahsildar, Ananthapur Mandal Ananthapuramu District.
7. Sri. Itikalapalli Murali, S/o. Late Itikalapalli Harijana Muthyalappa, Aged about 42 years, R/o. Kandukur Village, Anantapuram Mandal, Anantapuramu District. (Addresses 1 to 7 by RPAD)
8. One CC to SRI. M CHINNAPA REDDY Advocate [OPUC]
9. Two CCs to GP FOR REVENUE, High Court Of Andhra Pradesh. [OUT]
10. One spare copy

ER



HIGH COURT

BKMJ

DATED:15/03/2023

LIST ON 12.04.2023

ORDER

WP.No.6206 of 2023

STATUS QUO

