

*** THE HONOURABLE SRI JUSTICE RAVI NATH TILHARI
AND
THE HONOURABLE SRI JUSTICE SUBHENDU SAMANTA**

+ WRIT APPEAL No.673 of 2026

% Dated: 23.06.2026

Between:

R.Chandra Sekhar Naidu and five othersAppellants

And

The State of Andhra Pradesh and five others....Respondents

! Counsel for the petitioner : Sri Kanderi Chethan

^ Counsel for the Respondents 1 to 5: Sri Dilip Naik,
Assistant Government Pleader for
Revenue

Counsel for the Respondent No.6: Sri Shravan, rep.SriG.Ramesh Babu

< GIST :

> HEAD NOTE :

? Cases referred:

THE HONOURABLE SRI JUSTICE RAVI NATH TILHARI
AND
THE HONOURABLE SRI JUSTICE SUBHENDU SAMANTA

WRIT APPEAL No.673 of 2026

Between:

R.Chandra Sekhar Naidu and five othersPetitioner

And

The State of Andhra Pradesh and five othersRespondents

Submitted for approval:

- | | |
|--|--------|
| 1. Whether Reporters of Local newspapers
may be allowed to see the Judgments? | Yes/No |
| 2. Whether the copies of judgment may be
Marked to Law Reporters/Journals. | Yes/No |
| 3. Whether Their Lordship wishes
to see the fair copy of the Judgment? | Yes/No |

RAVI NATH TILHARI, J

SUBHENDU SAMANTA, J



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

[3562]

TUESDAY, THE 23rd DAY OF JUNE 2026

PRESENT

THE HONOURABLE SRI JUSTICE RAVI NATH TILHARI

THE HONOURABLE SRI JUSTICE SUBHENDU SAMANTA

WRIT APPEAL NO: 673/2026

Writ Appeal under clause 15 of the Letters Patent be pleased to set aside the final order dated 20.01.2026 passed in W.P. No. 10042 of 2024 by the Learned single judge of this Honourable Court and pass such

Between:

- 1.R. CHANDRA SEKHAR NAIDU, S/O R. KAMALAKAR NAIDU, AGED ABOUT 64 YEARS R/O D.NO. 16-106-4-2-1, SRI RAM NAGAR, MADANAPALLE TOWN AND MANDAL, ANNAMAYYA DISTRICT
- 2.R. DEVENDRA KUMAR, S/O R. KAMALAKAR NAIDU, AGED ABOUT 66 YEARS R/O D.NO.16-486, LACHAREDDI STREET DIGUVA KAMMAPALLE, MADANAPALLE TOWN AND MANDAL. ANNAMAYYA DISTRICT
- 3.S. USHA RANI, W/O SOMSEKHAR CHOWDARY, AGED ABOUT 66 YEARS R/O D.NO.16-420-C, SRIRAMA RAMAIAH NAIDU STREET DIGUVA KAMMAPALLE, MADANAPALLE TOWN AND MANDAL ANNAMAYYA DISTRICT
- 4.R. VASUNDARA, W/O R. RUSHENDRA NAIDU, AGED ABOUT 55 YEARS RESIDING AT D. NO. 16-106-4-77-A, NEAR ROJA LAYOUT, DIGUVA KAMMAPALLE, MADANAPALLE TOWN AND MANDAL ANNAMAYYA DISTRICT
- 5.R. NIKHIL KUMAR, S/O R. RUSHENDRA NAIDU, AGED ABOUT 26 YEARS RESIDING AT D. NO. 16-106-4-77-A,

NEAR ROJA LAYOUT, DIGUVA KAMMAPALLE,
MADANAPALLE TOWN AND MANDAL ANNAMAYYA
DISTRICT

6.R.SHASI KUMAR, S/O R. RUSHENDRA NAIDU, AGED
ABOUT 24 YEARS RESIDING AT D. NO. 16-106-4-77-A,
NEAR ROJA LAYOUT, DIGUVA KAMMAPALLE,
MADANAPALLE TOWN AND MANDAL ANNAMAYYA
DISTRICT APPELLANT NO. 4 TO 6 ARE REPRESENTED BY
THEIR GPA HOLDER R. CHANDRA SEKHAR NAIDU, S/O R.
KAMALAKAR NAIDU, AGED ABOUT 64 YEARS, R/O D.NO.
16-106-4-2-1, SRI RAM NAGAR, MADANAPALLE TOWN
AND MANDAL, ANNAMAYYA DISTRICT I.E. APPELLANT
NO. 1

...APPELLANT(S)

AND

- 1.THE STATE OF ANDHRA PRADESH, REP. BY ITS
PRINCIPAL SECRETARY, DEPARTMENT OF REVENUE,
A.P. SECRETARIAT, AMARAVATHI, VELAGAPUDI, GUNTUR
DISTRICT, ANDHRA PRADESH STATE-522238.
- 2.THE DISTRICT COLLECTOR, ANNAMAYYA DISTRICT-
516269
- 3.THE JOINT COLLECTOR, ANNAMAYYA DISTRICT-516269
- 4.THE REVENUE DIVISIONAL OFFICER, MADANAPALLI
REVENUE DIVISION, MADANAPALLI ANNAMAYYA
DISTRICT-517325
- 5.THE TAHSILDAR, MADANAPALLI, ANNAMAYYA DISTRICT-
517325
- 6.R THULASIRAM NAIDU, S/O R. KAMALAKAR NAIDU, AGED
ABOUT 67 YEARS R/O D. NO. 15-117-11, SREERAMULU
STREET, MADANAPALLE TOWN AND MANDAL.
ANNAMAYYA DISTRICT-517325

...RESPONDENT(S):

Counsel for the Appellant(S):

1.P JAGADISH CHANDRA PRASAD

Counsel for the Respondent(S):

1.GP FOR REVENUE

2.G RAMESH BABU

The Court made the following:

Date of reserved for orders : -----
Date of pronouncement : 23-06-2026
Date of uploading : 08-07-2026

THE HONOURABLE SRI JUSTICE RAVI NATH TILHARI
THE HONOURABLE SRI JUSTICE SUBHENDU SAMANTA

WRIT APPEAL No.673 of 2026

JUDGMENT: *(per Hon'ble Sri Justice Ravi Nath Tilhari)*

Heard Sri Kanderi Chethan, learned counsel for the appellants, Sri Dilip Naik, learned Assistant Government Pleader for Revenue appearing for the respondent Nos.1 to 5 and Sri Shravan, learned counsel representing Sri G.Ramesh Babu, learned counsel for respondent No.6.

2. The writ appellants are the writ petitioners in W.P.No.10042 of 2024. The respondents are the respondents in the writ petition.

3. The writ appellants filed O.S.No.595 of 2022 as the plaintiffs, in which the unofficial respondent No.6 is defendant No.1. The suit is for partition and pending in the Court of the Principal Junior Civil Judge, Madanapalli. In the said suit, ad-interim injunction was granted to the following effect, by which the respondents were restrained from alienating the petition schedule property in favour of

the third parties. The interim order dated 25.07.2022 in I.A.No.542 of 2022 in O.S.No.595 of 2022 reads as under:

“In the result, there shall be ad-interim injunction in favour of the petitioners and against the respondents/defendants No.1 and 2 restraining the respondents from alienating the petition schedule property in favour of 3rd parties until next adjournment i.e.. 08.09.2022 subject to the condition that the petitioners shall get ready for enquiry as and when the respondents make appearance and file counter with notice to the petitioners irrespective of the date of adjournment on 08.09.2022 for the early disposal of the application on merits as per the mandate under order 39 Rule 3A CPC.”

4. Learned counsel for the writ appellant submits that the challenge is only on the ground that the learned Single Judge committed serious error in misunderstanding the specific submission made on behalf of the writ petitioners. He referred to ground No.(b) taken in the writ appeal. The same is reproduced as under:

“b) That the learned Single Judge committed a serious error misunderstanding the specific submission made on behalf of the petitioners while passing the order dated 20.01.2026 in W.P. No.10042 of 2024. The categorical submission of the learned counsel was that the 5th Respondent, effected mutation in favour of the 6th respondent in complete disregard of a subsisting interim injunction granted by the competent Civil Court in O.S. No.595 of 2022. However, the learned Single Judge erroneously understood that the petitioners filed the civil suit and obtained interim orders after filing the writ petition, which is factually incorrect and contrary to the record.”

5. Learned counsel for the writ appellants submits that respondent No.5, Tahsildar, Madanapalli, Annamayya District, initiated mutation

proceedings in Roc.No.A/192/2022, dated 20.08.2022. The same was confirmed in appeal by the Revenue Divisional Officer, Madanapalli, in D.Dis.B4/2076/2022 dated 27.06.2023. The revision filed there against was also dismissed by the Joint Collector by order, D.Dis.(D2)/2567/2023, dated 29.02.2024. He submits that the aforesaid orders were assailed in W.P.No.10042 of 2024, which has been disposed of by the learned Single Judge on 20.01.2026, which is under challenge in the writ appeal.

6. Learned counsel submits that in O.S.No.595 of 2022, the interim injunction was granted by the civil court but in complete disregard thereof, the respondent No.5 made mutation in favour of respondent No.6. That was the principal ground raised before the learned Single Judge. But on the said ground instead of determining the legality and validity of the orders impugned in the writ petition, the learned Single Judge disposed of the writ petition on an erroneous factual assumption that the writ petitioners had approached the civil court after filing the writ petition.

7. We have considered the aforesaid submission but find no substance in such ground to challenge the order of the learned Single Judge passed in the writ petition. The order passed in the writ petition is reproduced as under:

“ Heard the learned counsel for the petitioners and the learned Assistant Government Pleader for the respondent Nos. 1 to 5. The 6th respondent filed counter affidavit but there is no representation.

2. The learned counsel for the petitioners submits that already the petitioners have instituted O.S. No.595 of 2022 on the file of Principal Junior Civil Judge, Madanapalle against the 6th respondent and others seeking partition of the suit schedule properties in which the I.A. No.542 of 2022 was filed for grant of ad-interim injunction and the same was ordered by the trial court on 25.07.2022. Hence, the learned counsel for the petitioners submits that, as the petitioners already approached the civil court in the above said suit proceedings, they may be permitted to pursue the same by disposing of this writ petition.

3. In view of the above said submission made by the learned counsel for the petitioners, the writ petition is disposed of directing the petitioners and the 6th respondent to pursue the above said suit to work out their remedies by pursuing the above said suit proceedings. The petitioners are at liberty to seek necessary interim relief before the civil court if so warranted and advised. Interim order, if any, deemed to have been vacated herein. There shall be no order as to costs.

As a sequel, Miscellaneous Petitions pending, if any, shall stand closed.”

8. A perusal of the aforesaid impugned order in para No.2 shows clearly that the learned counsel for the writ petitioners submitted that the writ petitioners have already instituted O.S.No.595 of 2022 for partition and in I.A.No.542 of 2022 filed in the suit, ad-interim injunction was granted by the Trial Court on 25.07.2022. So in view thereof, the learned counsel for the writ petitioners submitted before the learned Single Judge that as the writ petitioners had already

approached the Civil Court, they may be permitted to pursue that suit by disposing of the writ petition.

9. We made a specific query to the learned counsel for the writ appellants with respect to what is recorded in the order in para No.2 as regards the learned counsel for the writ petitioners in the writ petition. He could not dispute the same. Any such ground has also not been taken nor it has been argued that what is recorded in the order with respect to the learned counsel for the writ petitioners, what he submitted that, since the petitioners had already approached the civil Court, the petitioners may be permitted to pursue that remedy and the writ petition be disposed of, is not correct. The said statement of fact in the order of the learned Single Judge has not been disputed. Once the counsel for the writ petitioners in the writ petition made such statement that the petitioners want to pursue the remedy of the suit, which had already been filed and in which there was ad-interim injunction order, granted in their favour and it was requested to dispose of the writ petition, we do not find any illegality in the order of the learned Single Judge in disposing of the writ petition in terms thereof.

10. Learned counsel for the writ appellants submitted before us that this Court is also not understanding the submission advanced.

11. So far as ground No.(b), on which the emphasis was laid down and the argument was advanced that respondent No.5 passed the order of mutation in favour of respondent No.6 in disregard of the interim injunction granted in the suit, which was subsisting, on perusal of the said ad-interim temporary injunction, we find that the injunction as granted is for no alienation that is restraining the respondents in the suit from alienating the petition schedule property in favour of the third parties. We specifically asked the learned counsel for the appellants if the mutation was affected pursuant to a transfer or alienation made by the respondents in the suit after injunction order, learned counsel submits that no transfer has taken place. There is no alienation. The mutation in the records by respondent No.5 is independent of any alienation and on different ground as mentioned in the order of the Tahsildar.

12. Therefore, we are of the view that in view of what has been stated by the learned counsel for the writ appellants, there is no alienation, there would be no question of disregarding the order of ad-interim injunction. By the said ad-interim injunction order, the official respondents were never restrained from affecting any mutation. So the contention, as is being advanced before us that the orders impugned in the writ petition were in disregard of the order of

ad-interim temporary injunction granted in the suit carry no force, even if such an argument was advanced before the learned Single Judge. Apart from that, we are concerned with the legality of the order on the ground on which it has been passed. The order was passed on the submission of the learned counsel for the writ petitioners that they want to pursue the remedy of the suit and the writ petition may be disposed of in view thereof. Recording the same, the writ petition was disposed of by the learned single Judge.

13. We do not find any illegality in the order of the learned Single Judge.

14. The writ appeal lacks merit and is dismissed. Under the circumstances we impose costs of Rs.50,000/- (Rupees Fifty thousand only). The costs shall be paid by the writ appellants.

15. The cost shall be deposited with the Andhra Pradesh High Court Legal Services Committee, Andhra Pradesh High Court, within a period of four weeks from today.

16. The Registrar (Judicial) shall submit a report on expiry of the period of five weeks to this Court with respect to the compliance of the direction to deposit the costs.

17. For perusal of the compliance report, the Writ Appeal will be listed on 27.07.2026.

As a sequel, interlocutory applications pending if any, shall stand closed.

RAVI NATH TILHARI, J

SUBHENDU SAMANTA, J

Date: 23.06.2026

Whether the order is:

Speaking		Reasoned	☒
Reportable	☒	Non-reportable	

THE HONOURABLE SRI JUSTICE RAVI NATH TILHARI
THE HONOURABLE SRI JUSTICE SUBHENDU SAMANTA

WRIT APPEAL No.673 of 2026

DATE: 23.06.2026

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