

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

**WEDNESDAY, THE NINETEENTH DAY OF MARCH
TWO THOUSAND AND TWENTY FIVE**

PRESENT

HON'BLE SRI JUSTICE VENKATESWARLU NIMMAGADDA

WRIT PETITION NO: 6699 OF 2025

Between:

Smt. Jaliparthi Samrajyam, W/o Jaliparthi Venkata Krishna Rao Aged 51 years, Occ: Homemaker, R/o H.No. 4-18, Kalaturu Village, Agiripalli Mandal, Eluru District, Andhra Pradesh-521211.

...PETITIONER

AND

1. The State of Andhra Pradesh, Represented by its Principal Secretary Revenue Department, Secretariat Building, Andhra Pradesh.
2. The District Collector, Eluru, Eluru District
3. The Revenue Divisional Officer, Eluru, Eluru District
4. The Tahasildar, Musurnuru Mandal at Musunuru Eluru District
5. Mandalapu Krishnaveni, W/o Mandalapu Venkateswara Rao Aged 45 years. Occupation House wife R/o H.No.1-176, Chillaboinapalli Village, Musunuru Mandal, Eluru District, Andhra Pradesh - 521207
6. Mandalapu Naga Venkata Uma Maheswara Rao, S/o Mandalapu Venkateswara Rao, Aged 12 years. Occupation Student, R/o H.No.1-176, Chillaboinapalli Village, Musunuru Mandal, Eluru District, Andhra Pradesh - 521207.

...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 Writ or Direction, Preferably Writ of Mandamus, declaring the endorsement No.L.D.C./MUT250118039791/2025,



dated 03-01-2025 issued by the Respondent No.4 for the land in Sy.No.7/1E, to an extent of Ac.2.00 cents situated in Chillaboinapalli Village, Musunuru Mandal, Eluru District as Illegal, Arbitrary, Contrary to Circular and Violative of Principles of Natural Justice, and consequently set aside the said endorsement and further direct the Respondents No 2 to 4 to mutate the name of the petitioner in the revenue records for the said land.

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 direct Respondent No. 4 to reconsider the request for mutation of the petitioner in respect of the subject land admeasuring Ac. 2.00 cents in Sy.No:7/1E. situated in Chillaboinapalli Village, Musunuru Mandal, Eluru District without reference to the impugned endorsement No. L.D.C./MUT250118039791/2025, dated 03-01-2025, pending disposal of the main Writ Petition in the interest of the Justice.

Counsel for the Petitioner: SRI VALLURU CHETAN SUSHEEL

Counsel for the Respondent Nos. 1 to 4: GP FOR REVENUE

Counsel for the Respondent Nos. 5 & 6: ----

The Court made the following: ORDER

APHC010124222025



**IN THE HIGH COURT OF ANDHRA PRADESH
AT AMARAVATI [3329] (Special Original
Jurisdiction)**

**WEDNESDAY ,THE NINETEENTH DAY OF MARCH
TWO THOUSAND AND TWENTY FIVE**

PRESENT

THE HONOURABLE SRI JUSTICE VENKATESWARLU NIMMAGADDA

WRIT PETITION NO: 6699/2025

Between:

Smt. Jaliparthi Samrajyam

...PETITIONER

AND

The State Of Andhra Pradesh and Others

...RESPONDENT(S)

Counsel for the Petitioner:

1.VALLURU CHETAN SUSHEEL

Counsel for the Respondent(S):

1.GP FOR REVENUE

The Court made the following:

THE HON'BLE SRI JUSTICE VENKATESWARLU NIMMAGADDA
WRIT PETITION NO: 6699/2025

ORDER:

This writ petition is filed under Article 226 of the Constitution of the India seeking the following reliefs:-

"to issue a writ, order or direction more particularly one in the nature of Writ of Mandamus declaring the endorsement No.L.D.C./MUT250118039791/2025, dated 03.02.2025 issued by the Respondent No.4 for the land in Sy.No.7/1E, to an extent of Ac.2.00 cents situated in Chillaboinapalli Village, Musunuru Mandal, Eluru District as Illegal, Arbitrary, Contrary to Circular and Violative of Principles of Natural Justice and consequently set aside the said endorsement and further direct the Respondent Nos.2 to 4 to mutate the name of the petitioner in the revenue records for the said land and pass such other order."

2. Heard the learned counsel for the petitioner and the learned Government Pleader for the respondents.

3. Learned counsel for the petitioner submits that the petitioner herein submitted a representation seeking mutation of her name in the revenue records as per her entitlement. But without proper appreciation and consideration by the 4th respondent, the 4th respondent issued endorsement dated 03.02.2025, contrary to the entitlement of the petitioner as well as facts stated in the application of the petitioner dated 18.01.2025. Therefore, the said endorsement of the 4th respondent dated 03.02.2025 is liable to be set aside.

4. On the other hand, learned Government Pleader for the respondents submits that as per Section 5(2) of the Andhra Pradesh

Rights in Land and Pattadar Pass Books Act, 1971, the 4th respondent is not entitled to make any finding on his own basing on the representation of the petitioner and he has to forward the same to higher authority i.e., 3rd respondent herein to make a finding or to determined the entitlement of the petitioner.

5. Having regard to the submissions made by the learned counsel for the petitioner and the learned Government Pleader for the respondents and on perusal of the endorsement issued by the 4th respondent, it is observed that as per Section 5(2) of the Andhra Pradesh Rights in Land and Pattadar Pass Books Act, 1971, the 3rd respondent is the competent authority to consider the claim of the petitioner for mutation/granting rights in favour of the petitioner. It appears that the impugned endorsement dated 03.02.2025 is contrary to Section 5(2) of the Act. The 4th respondent has to forward the same to the 3rd respondent to determine the rights of the petitioner.

6. In view of the reasons stated above, the endorsement dated 03.02.2025 is hereby set aside. However, the respondents are at liberty to proceed further pursuant to the representation submitted by the petitioner for granting mutation in accordance with law.

7. With the above direction, the Writ Petition is disposed of. There shall be no order as to costs.

As a sequel miscellaneous application, pending, if any, shall
also stand closed.

//TRUE COPY//

Sd/- A. VIJAYA BABU
ASSISTANT REGISTRAR


SECTION OFFICER

To,

1. The Principal Secretary Revenue Department, Secretariat Building, Andhra Pradesh.
2. The District Collector, Eluru, Eluru District
3. The Revenue Divisional Officer, Eluru, Eluru District
4. The Tahasildar, Musurnuru Mandal at Musunuru Eluru District
5. One CC to Sri Valluru Chetan Susheel, Advocate [OPUC]
6. Two CCs to GP for Revenue, High Court of Andhra Pradesh. [OUT]
7. Three CD Copies

TF

HIGH COURT

DATED:19/03/2025

ORDER

WP.No.6699 of 2025



DISPOSING OF THE W.P., WITHOUT COSTS