



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

[3329]

THURSDAY ,THE TWENTIETH DAY OF MARCH
TWO THOUSAND AND TWENTY FIVE

PRESENT

THE HONOURABLE SRI JUSTICE VENKATESWARLU NIMMAGADDA

WRIT PETITION NO: 6834/2025

Between:

Battarusetty Ramanaiah

...PETITIONER

AND

The State Of Ap and Others

...RESPONDENT(S)

Counsel for the Petitioner:

1.SAI GANGADHAR CHAMARTY

Counsel for the Respondent(S):

1.GP FOR REVENUE

The Court made the following ORDER:

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

“to issue appropriate Writ Order or direction more particularly one in the nature of Writ of MANDAMUS declaring the action of the Respondents particularly the Respondent No.3 in conducting enquiry on the application filed by the 4th Respondent for mutation of land of an extent of Ac.1-46 cents Lingasamudram Village, S P S R Nellore District of A.P.Rights in Land and Pattadar Books Act an name in respect cents in Survey No.100/2 of under the provisions 1971 ignoring the earlier orders of Appellate Authority as well as Primary Authority and pendency

of Civil Suit in O.S.No 182 of 2016 on the file of the court of Senior Civil Judge at Kandukur in respect of the same property arbitrary illegal and violative of the provisions of the ROR Act and violative of right to property guaranteed as under Article 300A of the Constitution of India and consequently direct the 3rd Respondent to follow the due process of law under ROR Act *and to pass such other order or orders...*”

2. The learned counsel for the petitioner submits that the petitioner is the absolute owner and possessor of the subject land, admeasuring to an extent of Ac.1-46 cents in Sy.No. 100/2 of Lingasamudram Village, S.P.S.R. Nellore District, and his name is reflected in the revenue records as the possessor of the subject land. However, the unofficial respondents, who are also family members of the petitioner, are claiming ownership rights over the subject property and are interfering with the petitioner's possession and enjoyment of the same. The petitioner instituted a Suit O.S. No. 182 of 2016 on the file of the Court of the Senior Civil Judge, Kandukur, seeking for declaration of title and permanent injunction in respect of the subject property. Pending the suit, pursuant to the order passed by respondent No. 2 in the revision, the unofficial respondents are trying to mutate their names in the revenue records by deleting the petitioner's name as pattadar in respect of the subject property of the petitioner, which is illegal and contrary. Hence, the present writ petition filed.

3. On the other hand, the learned Government Pleader for Revenue, appearing for the respondents furnished written instructions dated 16.03.2025, issued by the 3rd respondent, wherein it is stated as follows:

(i) *Assailing the orders of Revenue Divisional Officer, Kandukur dated 13.11.2019, Smt Battarusetty Chennamma wife peda Narasaiah and Smt Battarusetty hymavathamma wife chinna narasaiah have file revision petition before the joint collector, Nellore after going through the matter in detail disposed of the revision petition in his proceedings in case No.D.Dis.D5.2290/2022 dated 31.03.2023 upholding the orders dated 13.11.2019 passed by the Revenue Divisional officer, Kandakur.*

(II) *At this juncture, the 4th respondent has filed application on 04.11.2024 for mutation of his name in respect of Ac.1.46 in Sy.No.100/2 of Lingasamudram Village by deleting the name of the petitioner herein from the revenue records.*

(lii) *He further submits that the now the nature of the subject property joint family of the petitioner and unofficial respondents since the suit is pending the respondents are issued endorsement stating that pending the suit, the revenue entries cannot be changed as such the entries as on today, may not be interfered by respondents authorities.*

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

5. Having considered the submissions made by the learned counsel for the petitioner and the learned Government Pleader for Revenue appearing for the respondents and on perusal of the material available on record, this Court is of the considered view that the present writ petition can be disposed of by directing the respondents that, in view of the pending suit, as observed in their written instructions, the existing status i.e., entries in revenue records cannot

be changed or modified since the civil proceedings are involved within the family members of the petitioner.

6. With the above said 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.

VENKATESWARLU NIMMAGADDA, J

20.03.2025

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HON'BLE SRI JUSTICE VENKATESWARLU NIMMAGADDA

WRIT PETITION No.6834 of 2025

20.03.2025

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