

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

**FRIDAY, THE TWENTY FIRST DAY OF MARCH
TWO THOUSAND AND TWENTY FIVE**



**PRESENT
THE HONOURABLE SMT JUSTICE KIRANMAYEE MANDAVA**

WRIT PETITION NO: 7019 OF 2025

Between:

Uppala Jayaramaiah, S/o China Subbaiah, aged about 87 years,
Agriculturist, R/o Gamallapalem, H/o Bodduvaripalem, Gowtam Nagar
Gram Panchayat, Kodavalur Mandal, Nellore District.

...Petitioner

AND

1. The State of Andhra Pradesh, Represented by its Principal Secretary, Endowments Department, A.P. Secretariat, Velagapudi, Amaravathi, Guntur District
2. The District Endowments Officer, Endowments Department, Nellore, SPSR Nellore District.
3. Sri Puta Pakeer Changaiah Dass Muth, Gamallapalem, rep. by its Executive Officer, Bodduvaripalem, Kodavalur Mandal, SPSR Nellore District
4. Gundapu Sudheer, S/o. Ravi, aged about 40 years, R/o. Kancharapalem, H/o. Utukur, Vidavaluru Mandal, SPSR Nellore District

...Respondents

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the affidavit filed therewith, the High Court may be pleased to issue an order, writ or direction more particularly one in the nature of a Writ of Mandamus declaring the order passed by the 2nd respondent herein in Re. No.A3/E-583684/2024 dated 06-02-2025 holding that the determination of the petitioner as landless poor person in the order passed by the Assistant Commissioner of Endowments, Nellore in D.Dis.No.3033/2006, dated 20-02-2007 declaring the petitioner as landless poor person and entitled to continue as the Statutory Tenant and the

further action of the 3rd respondent in holding Public Auction of the lease hold rights in respect of Ac.0.98 cents of wet land comprised in Old Sy. No 36 and New Survey No 38 of Gamallapalem Village, H/o. Bodduvaaripalem Revenue Village, Kodavalur Mandal, SPSR Nellore District on 10-03-2025 contrary to the statutory Rules as illegal, arbitrary, without jurisdiction and unjust, and consequently set- aside the order passed by the 2nd respondent dated 06-02-2025 and direct the respondents to continue the petitioner as the Statutory Tenant in respect of the above extent of the land of the 3rd respondent Muth.

IA NO: 1 OF 2025

Petition under Section 151 CPC praying that in the circumstances stated in the affidavit filed in support of the petition, the High Court may be pleased to suspend the operation of the order of the 2nd respondent in Re. No. A3/E- 583684/2024 dated 06-02-2025 and continue the petitioner as the Statutory Tenant in respect of Ac. 1.00 of wet land in old Sy.No.36 and New Survey No 38 of Gamallapalem Village, H/o. Bodduvaaiipalem Revenue Village, Kodavalur Mandal, SPSR Nellore District pending disposal of the above writ petition.

IA NO: 2 OF 2025

Petition under Section 151 CPC praying that in the circumstances stated in the affidavit filed in support of the petition, the High Court may be pleased to stay all further proceedings pursuant to the public auction conducted by the 3rd respondent on 10-03-2025 in respect of the lease hold rights in Ac. 1.00 of wet land in old Sy.No.36 and New Survey No 38 of Gamallapalem Village, H/o. Bodduvaaripalem Revenue Village, Kodavalur Mandal, SPSR Nellore District including dispossession of the petitioner from the above extent of land pending disposal of the above writ petition.

Counsel for the Petitioner: SRI P.SRIDHAR REDDY

Counsel for the Respondents 1 & 2: GP FOR ENDOWMENTS

Counsel for the Respondent No.3: SRI NAGARAJU NAGURU

Counsel for the Respondent No.4: -----

The Court made the following order:

APHC010136102025



**IN THE HIGH COURT OF ANDHRA PRADESH
AT AMARAVATI
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[3458]

**FRIDAY, THE TWENTY FIRST DAY OF MARCH
TWO THOUSAND AND TWENTY FIVE**

PRESENT

THE HONOURABLE SMT JUSTICE KIRANMAYEE MANDAVA

WRIT PETITION NO: 7019/2025

Between:

Uppala Jayaramaiah,

...Petitioner

AND

The State Of Andhra Pradesh and Others

...Respondents

Counsel for the Petitioner:

1.P Sridhar Reddy

Counsel for the Respondents:

1.Nagaraju Naguru

2.GP for Endowments

The Court made the following order:

Challenging the proceedings of the 2nd respondent dated 06.02.2025 cancelling the proceedings dated 20.02.2007 recognizing the petitioner as landless poor person by the Assistant Commissioner of Endowments, Nellore and entitled to continue as the statutory tenant and further action of the 3rd respondent in holding Public Auction of the lease hold rights in respect of Ac.0.98 cents of wet land comprised in Old Sy.No.36 and New Sy.No.38 of

Gamallapalem Village, H/o. Boddunaripalem Revenue Village, Kodavalur Mandal, SPSR Nellore District on 10.03.2025 contrary to the statutory Rules.

2. Heard Sri P.Sridhar Reddy, learned counsel for the petitioner, learned Assistant Government Pleader for Endowments appearing for respondent Nos.1 and 2 and Sri Nagaraju Naguru, learned counsel for respondent No.3.

3. It is contended that the impugned order was passed without issuing notice. Earlier, a notice was issued on 07.10.2024, enhancing the rent to Rs.1,06,200/- from 2010-2011 to 2023-2024, alleging that the petitioner had not paid makta on par with the neighboring lands in the vicinity of the subject mutt.

4. Learned counsel appearing for the petitioner contended that there was never any demand from the authorities to pay on par with the neighboring lands of the locality.

5. This Court is of the considered view that the show-cause notice was issued, directing the petitioner to show cause as to why an appropriate order should not be passed for not remitting the lease rentals of Rs.1,06,200/- from 2010-11 to 2023-2024. However, the impugned order is passed, cancelling the LLP issued in the year 2007, and the Executive Officer was directed to grant leases of subject lands in public auction.

6. Having regard to the contentions advanced, *prima facie* this Court finds that the impugned order was passed without issuing any notice to the

petitioner. The impugned order is accordingly set aside, and the petitioner is directed to pay a sum of Rs.1,75,000/- to the 2nd respondent within a period of four weeks from the date of receipt of this order.

7. The 3rd respondent is at liberty to proceed in accordance with law, pursuant to Notice No.1 of 2024, dated 07.10.2024, after giving sufficient opportunity to the petitioner.

8. Accordingly, the Writ Petition is disposed of. There shall be no order as to costs.

As a sequel, all pending miscellaneous applications shall stand closed.

//TRUE COPY//

Sd/- M. SRINIVAS
ASSISTANT REGISTRAR
SECTION OFFICER

To,

1. The Principal Secretary, Endowments Department, State of Andhra Pradesh, A.P. Secretariat, Velagapudi, Amaravathi, Guntur District.
2. The District Endowments Officer, Endowments Department, Nellore, SPSR Nellore District.
3. The Executive Officer, Sri Puta Pakeer Changaiah Dass Muth, Gamallapalem, Boddavaripalem, Kodavalur Mandal, SPSR Nellore District.
4. One CC to Sri P Sridhar Reddy, Advocate [OPUC]
5. One CC to Sri Nagaraju Naguru, Advocate [OPUC]
6. Two CCs to GP for Endowments, High Court of Andhra Pradesh. [OUT]
7. Two CD Copies

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HIGH COURT

DATED:21/03/2025

ORDER

WP.No.7019 of 2025



**DISPOSING OF THE WP
WITHOUT COSTS**