

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



TUESDAY, THE EIGHTEENTH DAY OF MARCH
TWO THOUSAND AND TWENTY FIVE

PRESENT

HON'BLE SRI JUSTICE VENKATESWARLU NIMMAGADDA

WRIT PETITION NO: 6912 OF 2025

Between:

1. Talari Narayana, S/o Late T.Ramaiah, Aged about 78 years, Occ: Agriculture, Resident of Devavandlapalli Village, H/o Usthikayalapenta Post, Y.V.Palem Mandal, Tirupati District.
2. Talari Ramanaiah, S/o Talari Narayana, Aged about 57 years, Occ: Agriculture, Resident of Devavandlapalli Village, H/o Usthikayalapenta Post, Y.V.Palem Mandal, Tirupati District.

...PETITIONERS

AND

1. The State of Andhra Pradesh, Rep. by its Principal Secretary, Department of Revenue, Secretariat, Velagapudi, Amaravathi.
2. The District Collector, Tirupati District at Tirupati.
3. The Sub Collector Revenue Divisional Officer, Tirupati, Tirupati District.
4. The Tahsildar, Yerravaripalem Mandal, Tirupati District.
5. Sri D.Ramalinga Reddy, S/o Narasimha Reddy, Aged about 72 years, Occ: Agriculture, Resident of Devavandlapalli H/o Usthikayalapenta, Yerravaripalem Mandal, Tirupati 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 may be pleased to issue a Writ, or direction more particularly one in the nature of Writ of Mandamus declaring the action of the 4th respondent in trying to evict the petitioners from their property admeasuring

an extent of Ac. 1.18 cents in Sy.No. 1020-2 and Ac. 1.60 cents in Sy.No.959/2A, situated in Usthikayalapenta Village, Yerravaripalem Mandal, Tirupati District without following due process of law is illegal, arbitrary and unconstitutional and also violation of principles of natural justice which is subject matter of DKT Patta bearing Patta No.AM.64/4/ 1417, dated 10-01-2008, subject matter of an Appeal Roc.B4/3157 of 2018 pending on the file of the Revenue Divisional Officer / Sub Collector, Tirupati and also subject matter of a Suit O.S.No.153 of 2018 pending on the file of the Honourable Principal Junior Civil Judge, Piler, Annamayya District and consequently direct the 4th respondent not to interfere with the peaceful possession and enjoyment of the above said property.

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 the 4th respondent not to interfere with the peaceful possession and enjoyment of the property admeasuring an extent of Ac. 1.18 cents in Sy.No. 1020-2 and Ac. 1.60 cents in Sy.No.959/2A, situated in Usthikayalapenta Village, Yerravaripalem Mandal, Tirupati District till finalization of the Appeal Roc.B4/3157 of 2018 pending on the file of 3rd respondent as well as the Suit O.S.No.153 of 2018 on the file of the Honourable Principal Junior Civil Judge, Piler, Annamayya District the Appeal, pending disposal of the Writ petition before this Honourable court.

Counsel for the Petitioners: SRI VUTUPALLI RAJANNA

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

Counsel for the Respondent No.5: ----

The Court made the following: ORDER



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

[3329]

TUESDAY ,THE EIGHTEENTH DAY OF MARCH
TWO THOUSAND AND TWENTY FIVE

PRESENT

THE HONOURABLE SRI JUSTICE VENKATESWARLU
NIMMAGADDA

WRIT PETITION NO: 6912/2025

Between:

Talari Narayana and Others

...PETITIONER(S)

AND

The State Of Andhra Pradesh and Others

...RESPONDENT(S)

Counsel for the Petitioner(S):

1.VUTUPALLI RAJANNA

Counsel for the Respondent(S):

1.GP FOR REVENUE

The Court made the following:

THE HONOURABLE SRI JUSTICE VENKATESWARLU NIMMAGADDA

WRIT PETITION NO: 6912/2025

ORDER:

The present writ petition is filed under Article 226 of the Constitution of India seeking following relief:

"to issue a Writ or direction more particularly one in the nature of Writ of Mandamus declaring the action of the 4th respondent in trying to evict the petitioners from their property admeasuring an extent of Ac.1.18 cents in Sy.No.1020-2 and Ac.1.60 cents in Sy.No.959/2A situated in Usthikayalapenta Village, Yerravaripalem Mandal, Tirupati District without following due process of law is illegal, arbitrary and unconstitutional and also violation of principles of natural justice which is subject matter of DKT Patta bearing Patta No.AM.64/4/1417, dated 10.01.2008, subject matter of an Appeal Roc.B4/3157/ 2018 pending on the file of the Revenue Divisional Officer / Sub Collector, Tirupati and also subject matter of a Suit O.S.No.153 of 2018 pending on the file of the Honourable Principal Junior Civil Judge, Piler, Annamayya District and consequently direct the 4th respondent not to interfere with the peaceful possession and enjoyment of the above said property and to pass such other order or orders...."

2. Heard learned counsel for the petitioners and learned Government Pleader for Revenue for the respondents.



3. Though the petitioners made several allegations against the respondents, during hearing, learned counsel for the petitioner requested this Court, to issue a direction to the 3rd respondent to dispose of the Appeal preferred by the petitioner No.1.

4. Learned Government Pleader for Revenue readily agreed to dispose of the Appeal, if any pending with the respondents.

5. In view of the submission of the learned Government Pleader for Revenue, I need not decide the truth or otherwise of the allegations made in the petition. This Court is conscious that no such direction be issued, in view of the judgment of the Apex Court in "***The Government of India v. P.Venkatesh***¹", wherein the Apex Court held that such orders may make for a quick or easy disposal of cases in overburdened adjudicatory institutions. But, they do not serve to the cause of justice. As the learned counsel for the petitioners himself requested to issue a direction to dispose of the Appeal preferred by petitioner No.1, I find no other alternative except to issue such direction.

6. In the result, the writ petition is disposed of directing the 3rd respondent to dispose of the Appeal filed by the petitioner No.1, in accordance with law, within three (03) months from the date of receipt of a copy of this order. Till disposal of the said Appeal, Status quo

¹ 2019 (8) SCALE 544

obtaining as on today shall be maintained by all the parties concerned in respect of the subject property. There shall be no order as to costs.

Consequently, Miscellaneous Petitions, if any, pending in the writ petition shall stand closed.

//TRUE COPY//

Sd/-B.PRASADA RAO
ASSISTANT REGISTRAR


SECTION OFFICER

To,

1. The Principal Secretary, Department of Revenue, Secretariat, Velagapudi, Amaravathi.
2. The District Collector, Tirupati District at Tirupati.
3. The Sub Collector Revenue Divisional Officer, Tirupati, Tirupati District.
4. The Tahsildar, Yerravaripalem Mandal, Tirupati District.
5. One CC to Sri Vutupalli Rajanna Advocate [OPUC]
6. Two CCs to GP for Revenue, High Court of Andhra Pradesh. [OUT]
7. Three CD Copies

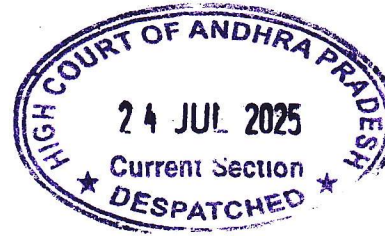
TF

HIGH COURT

DATED:18/03/2025

ORDER

WP.No.6912 of 2025



DISPOSING OF THE W.P., WITHOUT COSTS