

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

FRIDAY, THE TWENTY SIXTH DAY OF JULY
TWO THOUSAND AND TWENTY FOUR



PRESENT

THE HON'BLE SRI JUSTICE VENKATESWARLU NIMMAGADDA

I.A. No.1 of 2024

in

WRIT PETITION NO: 8776 OF 2023

I.A. No.1 of 2024

Between:

1. Jupalle Lakshmikantha Reddy, S/o. Chinna Venkata Reddy, aged about 65 years, Occ: Business.
2. Jupalle Nirmala Devi, W/o. Jupalle Lakshmikantha Reddy, aged about 60 years, Occ: Housewife,

Botha are R/o. H.No. 25/695-1, Sreenivasa Nagar, Nandyal Town and Mandal, Nandyal District.

...PETITIONERS/PETITIONERS

AND

1. The State of Andhra Pradesh, rep. by its Principal Secretary to Revenue, Secretariat, Velagapudi, Andhra Pradesh - 522503.
2. The District Collector, Nandyal Collector Office, Nandyal District.
3. The Revenue Divisional Officer, Nandyal District.
4. The Tahsildar, MRO Office, Nandyal District.
5. The District Registrar, Nandyal Registrar Office, Nandyal District.
6. The Sub-Registrar, Nandyal Sub-Registrar Officer, Nandyal District.
7. The Chief Executive Officer, A.P. State Wakf Board, 4th floor, Imdadghar Building, Kaleswara Rao Market, Tarapet, Vijayawada, Krishna District.
8. The District Officer, Nandyal District Wakf Board, NGO's Colony, Nandyal Town and Mandal, Nandyal District.

...RESPONDENTS

Petition under Section 151 CPC Order (9) Rule (9) praying that in the circumstances stated in the affidavit filed in support of the writ petition, the High Court may be pleased to set aside the dismissal order dated.08.07.2024 and restore the writ petition.

WRIT PETITION NO: 8776 OF 2023

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 a Writ or Order more particularly a Writ of Mandamus declaring that the Gazette Notification published in Gazette No. 36, dt. 07.09.2018 is illegal, arbitrary and malafide and set aside the same by declaring that the State and its authorities cannot indulge in the property rights of the petitioners land to an extent of Ac. 0-67 Cents in Sy.No. 1939 situated at Nandyal Town and Mandal, Nandyal District as it is against the Articles - 14, 19, 21 and 300-A of Constitution of India.

IA NO: 1 OF 2023

Petition under Section 151 CPC praying that in the circumstances stated in the affidavit filed in support of the writ petition, the High Court may be pleased to direct the respondents not to cause any sort of interference in the peaceful possession and enjoyment of the petitioners over their property to an extent of Ac. 0-67 Cents in Sy.No. 1939 situated at Nandyal Town and Mandal, Nandyal District pending disposal of the above writ petition.

IA NO: 2 OF 2023

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 direct the respondents 5 and 6 to entertain any deed presented by the petitioners and register the same in respect of petitioners property to

an extent of Ac. 0-67 Cents in Sy.No. 1939 situated at Nandyal Town and Mandal, Nandyal District pending disposal of the above writ petition.

Counsel for the Petitioner : SRI C. HANUMANTHA RAO

Counsel for the Respondent Nos.1 to 6 : GP FOR REVENUE

**Counsel for the Respondent Nos.7 & 8 : SRI MOHD. GAYASUDDIN,
SC FOR WAKF BOARD**

The Court made the following: ORDER

Heard learned counsel for the petitioner.

The learned counsel for the petitioner filed I.A. No.1 of 2023 wherein he seeking to set aside the dismissal for default order dated.08.07.2024 in W.P. No.8776 of 2023.

In view of the reasons stated in the accompanying affidavit and submissions made by the learned counsel for the petitioner, IA. No.1 of 2024 is ordered.

//TRUE COPY//

**Sd/- K. TATA RAO
DEPUTY REGISTRAR**



SECTION OFFICER

To,

1. The Principal Secretary to Revenue, State of Andhra Pradesh, Secretariat, Velagapudi, Andhra Pradesh - 522503.
2. The District Collector, Nandyal Collector Office, Nandyal District.
3. The Revenue Divisional Officer, Nandyal District.
4. The Tahsildar, MRO Office, Nandyal District.
5. The District Registrar, Nandyal Registrar Office, Nandyal District.
6. The Sub-Registrar, Nandyal Sub-Registrar Office, Nandyal District.
7. The Chief Executive Officer, A.P. State Wakf Board, 4th floor, Imdadghar Building, Kaleswara Rao Market, Tarapet, Vijayawada, Krishna District.

8. The District Officer, Nandyal District Wakf Board, NGO's Colony, Nadyal Town and Mandal, Nandyal District.
9. One CC to Sri C. Hanumantha Rao, Advocate [OPUC]
10. Two CCs to GP for Revenue, High Court of Andhra Pradesh. [OUT]
11. One CC to Sri Mohd. Gayasuddin, SC for Wakf Board (OPUC)
12. Three C.D. Copies.

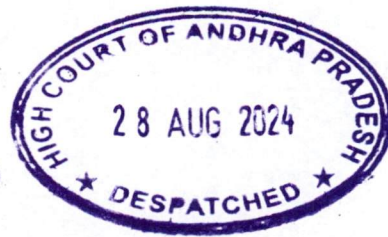
Cnr

HIGH COURT

DATED:26/07/2024

ORDER

**I.A. No.1 of 2024
in
WP.No.8776 of 2023**



RESTORED