



IN THE HIGH COURT OF ANDHRA PRADESH AT AMARAVATI
(SPECIAL ORIGINAL JURISDICTION)

THURSDAY, THE TWENTIETH DAY OF APRIL

TWO THOUSAND AND TWENTY THREE

:PRESENT:
THE HONOURABLE SRI JUSTICE B KRISHNA MOHAN

WRIT PETITION NO: 9837 OF 2023

Between:

Enumodulla Jayanna, S/o. Late Devaputra, Aged 64 years, Occ. Pastor,
R/o.H.No.12/12 Maddikera Village and Mandal, Kurnool District.

Petitioner

AND

1. The State of AP, Rep. by its Principal Secretary, Department of Revenue, Secretariat Buildings, Velagapudi, Amaravathi, Guntur District, A.P.
2. The District Collector, Kurnool, Kurnool District.
3. The Revenue Divisional Officer, Revenue Divisional Office, Pattikonda, Kurnool District.
4. The Tahsildar, Maddikera Mandal, Kurnool District.
5. P.Sanjappa @ Samuel, S/o Gattappa, Aged 69 years, Retired Employee, R/o. H.No.12/193, S.C colony, Maddikera (V) and (M), Kurnool 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 appropriate writ, order or direction more particularly one in the nature of Writ of Mandamus, declaring the action of the respondents in issuing proceedings in Rc.E3/1182/2022, Dt.03.04.2023 holding that the possession certificate/patta issued vide Rc.No.164/2005, Dt.04.05.2005 indicating that the site in an extent of Ac.0.0989cts in Sy.No.425 of Maddikera Village and Mandal, Kurnool District issued in favour of the petitioner is irregular and further directing the Revenue Divisional Officer, Pattikonda to take necessary action on the irregular issue of possession certificate/pattaas opposed to Law, arbitrary, unjust and against the Constitutional Guarantees under Article 14,16,19 and 21 and to consequently direct the respondents not to interfere with the possession and enjoyment of the petitioner's property bearing H.No.12/4, Christian Brothorn Assembly Prayer Hall 14th ward, S.C.Colony, admeasuring 475 Sq.Yards in Sy.No.452 of Maddikera (V) and (M) Kurnool District.

IA NO: 1 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 not to interfere with the petitioner's property bearing H.No.12/4, Christian Brothern Assembly Prayer Hall 14th ward, S.C.Colony. admeasuring 475 Sq.Yards in Sy.No.452 of Maddikera (V) and (M) Kurnool District, Pending disposal of WP 9837 of 2023, on the file of the High Court.

The petition coming on for hearing, upon perusing the Petition and the affidavit filed in support thereof and upon hearing the arguments of Sri V S K RAMA RAO Advocate for the Petitioners and of GP FOR REVENUE for the Respondent Nos. 1 to 4, and the Court made the following.

ORDER

"Heard the learned counsel for the petitioner.

The learned Government Pleader for Revenue takes notice for the respondent Nos.1 to 4 to file counter affidavit.

The learned counsel for the petitioner is permitted to take out personal notice to the 5th respondent and proof of service shall be filed within a period of three (03) weeks from today.

List the matter after Summer vacation, 2023.

In the meanwhile, there shall be an order of *status quo* as on today to be maintained with respect to the subject house of 475 Sq. Yards in Survey No.452 of Maddikera Village and Mandal, Kurnool District as covered under the proceedings of the 4th respondent in Rc.No.164/2005 dated 04.05.2005, pending further orders."

//TRUE COPY//

**SD/- K.J.RAJA BABU
ASSISTANT REGISTRAR**

For ASSISTANT REGISTRAR

To,

- 1. The Principal Secretary, Department of Revenue, Secretariat Buildings, Velagapudi, Amaravathi, Guntur District, A.P.**
- 2. The District Collector, Kurnool, Kurnool District.**
- 3. The Revenue Divisional Officer, Revenue Divisional Office, Pattikonda, Kurnool District.**

4. The Tahsildar, Maddikera Mandal, Kurnool District.
5. P.Sanjappa @ Samuel, S/o Gattappa, Aged 69 years, Retired Employee, R/o. H.No.12/193, S.C colony, Maddikera (V) and (M), Kurnool District. (Addressess 1 to 5 by RPAD)
6. One CC to SRI. V S K RAMA RAO Advocate [OPUC]
7. Two CCs to GP FOR REVENUE ,High Court Of Andhra Pradesh. [OUT]
8. One spare copy.

psk

HIGH COURT

BKMJ

DATED:20/04/2023

LIST AFTER SUMMER VACATION

ORDER

WP.No.9837 of 2023

DIRECTION

