

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

THURSDAY, THE EIGHTEENTH DAY OF APRIL  
TWO THOUSAND AND TWENTY FOUR

:PRESENT:

THE HONOURABLE SRI JUSTICE RAVI CHEEMALAPATI

WRIT PETITION Nos. 11294, 13918, 21756 of 2022

Writ Petition No.11294 of 2022:

Between:

Gorle Gaddamma, S/o Late Pothanna, Aged about 74 years, R/o H.No.5-88,  
Marikavalasa Panchayathi, Paradesipalem village, Visakhapatnam Rural  
Mandal, Visakhapatnam District, Represented by her GPA Holder Sri K V  
Chowdary, S/o Subba Rao, aged about 58 years, R/o 4-62-2, Lawsons Bay  
Colony, VISAKHAPATNAM - 17.

...Petitioner

AND

1. The State of Andhra Pradesh, Rep. by it's Secretary Revenue Department, Secreatariat Buildings, Velagapudi, Amaravathi, Guntur District, Andhra Pradesh.
2. The Commissioner, The Visakhapatnam Metro Regional Development Authority, (VMRDA), Udyoga Bhavan, Siripuram Junction, VISAKHAPATNAM.
3. The District Collector, Visakhapatnam District at Maharanipeta, VISAKHAPATNAM.
4. The Tashildar, Visakhapatnam Rural Mandal at Chinnagadili, VISAKHAPATNAM.

...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, particularly 4<sup>TH</sup> respondent's Proceedings vide Rc.No.120/2018/A, dated 18-08-2021 keeping his own orders issued incorporating the land measuring an extent of Ac.0.55 cents in Sy.No.155/3 of paradesipalem village against the petitioner's application for mutation under Form-VI-A vide his office proceedings Rc.No.203/2021/A, dated 08-04-2021 in abeyance on the pretext of the objection made by 2nd respondent as being illegal, arbitrary, without authority and in violation of Art. 14, 16, 19 (1) (G), 21 and 300-A of Constitution of India and consequently set aside the same

**IA NO: 1 OF 2022**

Petition under Section 151 of 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 suspend the operation of the 4<sup>th</sup> respondent's proceedings in Rc.No.120/2018/A, dated 18-08-2021, Pending disposal of WP 11294 of 2022, 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 V SATISH, Advocate for the Petitioner, and of GP FOR REVENUE, for the Respondent Nos.1,3 & 4, and of SRI V.SURYA KIRAN KUMAR, Standing Counsel for the Respondent No.2

**WRIT PETITION NO: 13918 OF 2022**

**Between:**

Kolla Venkateswaralu, s/o Venkatiah, aged 53 years, Door No. 24-11-1501, Military Colony, Dhargamitta, Nellore

...Petitioner

AND

1. State of Andhra Pradesh, Rep by its Principal Secretary, Revenue Department, Secretariat, Amaravati
2. The Revisional Authority and Joint Collector, Visakhapatnam, Joint Collector Office, Maharani Peta, Visakhapatnam District
3. The Revenue Divisional Officer, Visakhapatnam, Krishna Nagar, Maharani Peta, Visakhapatnam, Andhra Pradesh
4. Penmetsa Krishnam Raju, S/o L. Venkata Raju, aged 69 years, R/o D.No. 53 - 33 - 38, K.R.M. Colony, Seethammadhara, Visakhapatnam, Visakhapatnam District.

**( R4 is impleaded as per the Order of this Court, dt.07.11.2023 vide order passed in I.A.2 of 2022.)**

...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

A.issue a writ of mandamus or any other writ declaring the action of the 2<sup>nd</sup> respondent in passing orders dated 27-03-2022 in RP number 10/2021 on file no. revision REV-DSECOGNR(ROR)/165/2021-SA(D2)- VSKPCO bearing RC number 1077/2021/D2 dated 15-11-2021 in respect of the land admeasuring Ac. 0-38 cents covered by old S. No 176/3 new S. No 155/3 of Paradesipalem Village, within the limits of GVMC, Visakhapatnam District without following due procedure and passing orders in violation of principles of natural justice

B. issue a writ of mandamus or any other writ declaring the action of the 2<sup>nd</sup> respondent in admitting the revision application under section 9 of A.P. Rights in Land and Pattadar Passbooks Act 1971 and issuing notice in RT

number 10/2021 on file no. revision RE DSECOGNR(ROR)/165/2021-SA(D2)-VSKPCO bearing RC number 1077/2021/D2 dated 15-11-2021 in respect of the land admeasuring Ac. 0-38 cents covered by old S. No 176/3 new S. No 155/3 of Paradesipalem Village, within the limits of GVMC, Visakhapatnam District as the same is high handed and against scope and spirit of S.9 of A.P. Rights in Land and Pattadar Passbooks Act 1971

**IA NO: 1 OF 2022**

Petition under Section 151 of 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 pass an order staying the orders dated 27-03-2022 passed by the Revisional Authority and Joint Collector, Visakhapatnam District in revision application RP No. 10/2021 on file no. revision REV-DSECOGNR(ROR)/165/2021-SA(D2)-VSKPCO bearing RC number 1077/2021/D2 dated 15-11-2021, Pending disposal of WP 13918 of 2022, 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 V V RAVI PRASAD Advocate for the Petitioner, and of GP FOR REVENUE, for the Respondents

**WRIT PETITION NO: 21756 OF 2022**

**Between:**

P. Krishnam Raju, S/o. Late Venkata Raju, Aged 68 years, R/o.D.No.53-33-38, KRM Colony, Seethammadhara, Visakhapatnam, Visakhapatnam District.

**...Petitioner**

**AND**

1. The State of A.P., Rep. by its Prl Secretary, M.A. and U.D Department, Secretariat, Velagapudi, Amaravathi, Guntur District.

2. The Visakhapatnam Metropolitan Region Development Authority (VMRDA), Rep. by its Metropolitan Commissioner, Gandhi Place, Siripuram, Visakhapatnam.
3. The Estate Officer, VMRDA, Gandhi Place, Siripuram, Visakhapatnam.
4. The District Collector, Visakhapatnam District.
5. The District Registrar, Stamps and Registration, Visakhapatnam.
6. The Joint-Sub Registrar, Registration Department, Madhurawada, Visakhapatnam, Visakhapatnam District.
7. The Revenue Divisional Officer, Bheemunipatnam, Visakhapatnam District.
8. The Tahsildar, Chinagadili Mandal, Visakhapatnam (Rural), Visakhapatnam District.
9. Kolla Venkateswarlu, Son of Venkatayya, Hindu, aged 57 years, resident of D No 24 -11 -1501, Military Colony, Dharga Mitta, Nellore. **(RR9 is impleaded as per the order of this Court dt 19/01/2023 vide order passed in IA 02/2022)**

#### ...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 a Writ of Mandamus or any other appropriate writ, order or direction by declaring that the Endorsement in Rc.No.6669/06/Estate/1-2,(e-file Comp.No.302145), dated 09.06.2022, issued by the 2<sup>nd</sup> respondent, is illegal, arbitrary and contrary to the Development Agreement-cum-General Power of Attorney dated 08.02.2007 and ) the action of the respondents in issuing the Endorsement to obtain title from the competent civil Court is illegal, arbitrary and consequently set-aside the Endorsement in Rc.No.6669/06/Estate/1-2, (e-file.Comp.No.302145), dated 09.06.2022, consequently directing the respondents to execute registered sale deeds in the petitioner's favour in terms of the Development Agreement-cum-General Power of Attorney, dated 08.02.2007

**IA NO: 1 OF 2022**

Petition under Section 151 of 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 respondents not to alienate or meddle with the land situated in Survey No.155/3 of Paradesipalem Village, Chinagadili Mandal, Visakhapatnam District, Pending disposal of WP 21756 of 2022, 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 DEVI PRASAD MANGALAPURI Advocate for the Petitioner, and of GP FOR MUNICIPAL ADMN URBAN DEV, for the Respondent No.1, and of SRI V.SURYA KIRAN KUMAR, Standing Counsel for the Respondent Nos.2 & 3, and of GP FOR REVENUE, for the Respondent Nos.4,7 & 8, and of GP FOR STAMPS & REGISTRATION, for the Respondent Nos.5 & 6, the Court made the following

**COMMON ORDER:**

The dispute in these writ petitions revolves round the extent of the land situated in Survey No.155/3. When this Court suggested, the learned counsel for the petitioners in all these writ petitions as well as the learned counsel for respondents, readily agreed for the proposal of getting the land surveyed by the VUDA in Survey No.155/3.

In view of the above, VUDA is directed to conduct survey of the land situated in Survey No.155/3 with the assistance of the Deputy Director of Surveys, Visakhapatnam, and file a report before the this Court, specifying the total extent of the land to be available in the said survey number; the extent actually available on ground; the extent of the

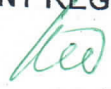
land acquired by VUDA for the purpose of layouts, the extent of the land left over in the said survey number. The VUDA authorities shall give prior intimation of the date of survey to the petitioners well in advance. The petitioners shall be present at the time of conducting survey and are at liberty to produce necessary documents in proof of their title over the property in Survey No.155/3 and also work memos, if any, they intend.

For filing survey report, post on 20.06.2024.

SD/- K. SRINIVASA RAJU  
ASSISTANT REGISTRAR

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//TRUE COPY//

For  SECTION OFFICER

To,

1. The Secretary, Revenue Department, State of Andhra Pradesh, Secretariat Buildings, Velagapudi, Amaravathi, Guntur District, Andhra Pradesh.
2. The Commissioner, The Visakhapatnam Metro Regional Development Authority, (VMRDA), Udyoga Bhavan, Siripuram Junction, VISAKHAPATNAM.
3. The District Collector, Visakhapatnam District at Maharani Peta, VISAKHAPATNAM.
4. The Tashildar, Visakhapatnam Rural Mandal at Chinnagadili, VISAKHAPATNAM.
5. The Revisional Authority and Joint Collector, Visakhapatnam, Joint Collector Office, Maharani Peta, Visakhapatnam District
6. The Revenue Divisional Officer, Visakhapatnam, Krishna Nagar, Maharani Peta, Visakhapatnam, Andhra Pradesh
7. Penmetsa Krishnam Raju, S/o L. Venkata Raju, aged 69 years, R/o D.No. 53 - 33 - 38, K.R.M. Colony, Seethammadhara, Visakhapatnam, Visakhapatnam District.

8. The Principal Secretary, M.A. and U.D Department, State of Andhra Pradesh, Secretariat, Velagapudi, Amaravathi, Guntur District.
9. The Estate Officer, VMRDA, Gandhi Place, Siripuram, Visakhapatnam.
10. The District Registrar, Stamps and Registration, Visakhapatnam.
11. The Joint-Sub Registrar, Registration Department, Madhurawada, Visakhapatnam, Visakhapatnam District.
12. The Revenue Divisional Officer, Bheemunipatnam, Visakhapatnam District.
13. Kolla Venkateswarlu, Son of Venkatayya, Hindu, aged 57 years, resident of D No 24 -11 -1501, Military Colony, Dharga Mitta, Nellore.

**(Addressees 1 to 15 by RPAD)**

14. One CC to SRI. V V SATISH Advocate [OPUC]
15. One CC to SRI V V RAVI PRASAD, Advocate [OPUC]
16. One CC to SRI M.DEVI PRASAD, Advocate [OPUC]
17. Two CCs to GP FOR REVENUE ,High Court of Andhra Pradesh.  
[OUT]
18. Two CCs to GP FOR MUNICIPAL ADMINISTRATION & URBAN DEVELOPMENT, High Court of Andhra Pradesh [OUT]
19. One CC to SRI V.SURYA KIRAN KUMAR, Standing Counsel  
[OPUC]
20. Two CCs to GP FOR STAMPS & REGISTRATION, High Court of Andhra Pradesh [OUT]
21. **One spare copy**



HIGH COURT

RC,J

DATED:18/04/2024

NOTE: FOR FILING SURVEY REPORT, POST ON 20.06.2024.

ORDER

WRIT PETITION Nos. 11294, 13918, 21756 of 2022

INTERIM DIRECTION

