

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

FRIDAY, THE SIXTH DAY OF MAY
TWO THOUSAND AND TWENTY TWO

:PRESENT:

THE HONOURABLE SMT JUSTICE V.SUJATHA

WRIT PETITION NO: 12753 OF 2022

Between:

Arallapalli Ramachandra Rao @ Rambabu, S/o.Late Sri A.Sambasiva Rao Aged
44 years, Occ.Business R/o.Gandhinagar, Amalapuram Konaseema District,
Andhra Pradesh

...Petitioner

AND

1. The State of Andhra Pradesh, Rep.by its Principal Secretary Revenue Department, A.P. Secretariat Velagapudi, Amaravati, Guntur District.
2. The District Collector, Konaseema District, Amalapuram Andhra Pradesh
3. The Revenue Divisional Officer, Konaseema District, Andhra Pradesh
4. The Tahsildar, Amalapuram, Konaseema District Andhra Pradesh
5. The Sub.Registrar, Amalapuram, Konaseema District Andhra Pradesh
6. Smt. Arallapalli Ammani W/o. Late Sambasiva Rao, Aged about 72 years,
R/o.Door NO.6-2-25/21/1, Gandhi Nagar, Amalapuram, Konaseema District, AP.

...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, order or direction more particularly one in the nature of a writ of mandamus declaring the order of the 3rd Respondent in D.Dis.No.G/509/2022 Dt.11-04-2022 wherein and where under directed the petitioner to handover an extent of Ac.0.04 cents in R.S.No.741/4 of Amalapuram in favour of the 6th Respondent herein and further directed the Respondents 4 and 5 to implement the said order with the aid of police as highly illegal, arbitrary, violative of Principles of Natural Justice, contrary to law and unconstitutional and consequently to set aside the same.

IA NO: 1 OF 2022

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 grant stay of all further proceedings in pursuance of the proceedings in D.Dis.No.G/509/2022 Dt.11-04-2022 issued by the 3rd Respondent, pending disposal of WP 12753 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 K Chidambaram, Advocate for the Petitioner, GP for Revenue for the Respondent Nos.1 to 5, the Court made the following;

ORDER:

"The order passed by the third respondent dated 11.04.2022 is under challenge, wherein the third respondent has directed the 4th and 5th respondents to give protection to the 6th respondent and further ordered to hand over the land gifted to the petitioner by his mother, who is the 6th respondent herein, an extent of Ac.0.04 cents in R.S.No.741/4 of Amalapuram, vide document No.162/2021 dated 07.01.2021, which is beyond the jurisdiction of the 3rd respondent.

In view of the facts and circumstances of the case, there shall be an interim stay of the order passed by the third respondent dated 11.04.2022 for a period of eight weeks.

Learned counsel for the petitioner is permitted to take out notice personally on the 6th respondent and file proof of the same in the Registry.

Post immediately after vacation."

Sd/- K. SRINIVASA RAJU
ASSISTANT REGISTRAR

//TRUE COPY//

SECTION OFFICER

To,

1. The Principal Secretary Revenue Department, State of Andhra Pradesh, A.P. Secretariat Velagapudi, Amaravati, Guntur District.
2. The District Collector, Konaseema District, Amalapuram Andhra Pradesh
3. The Revenue Divisional Officer, Konaseema District, Andhra Pradesh
4. The Tahsildar, Amalapuram, Konaseema District Andhra Pradesh
5. The Sub.Registrar, Amalapuram, Konaseema District Andhra Pradesh
6. Smt. Arallapalli Ammani W/o. Late Sambasiva Rao, R/o.Door NO.6-2-25/21/1, Gandhi Nagar, Amalapuram, Konaseema District, AP.(1 to 6 by RPAD)
7. One CC to Sri. K Chidambaram, Advocate [OPUC]
8. Two CCs to GP for Revenue, High Court of Andhra Pradesh. [OUT]
9. One spare copy.

MSB

HIGH COURT

VS,J

DATED:06/05/2022

ORDER

POST IMMEDIATELY AFTER VACATION

WP.No.12753 of 2022

INTERIM DIRECTION

