

**HIGH COURT OF ANDHRA PRADESH AT AMARAVATHI**

**MAIN CASE: W.P.No. 11062 of 2023**

**PROCEEDING SHEET**

| Sl.No. | DATE       | ORDER                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               | Office Note |
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| 1.     | 28.04.2023 | <p><b><u>BKM, J</u></b></p> <p>Heard the learned counsel for the petitioner and the learned Assistant Government Pleader for Revenue seeks time to file counter.</p> <p>The proceedings of the 2<sup>nd</sup> respondent dated 01.04.2023 is assailed in this Writ Petition with respect to the land in Sy.No. 934 of Rajampet Village covered under the document Nos. 1738 of 2022 dated 24.05.2022 and 4621 of 2022 dated 05.12.2022.</p> <p>The learned counsel for the petitioner submits that the petitioner purchased the land in an extent of 136.11 Sq. yards in Sy.No. 934 of Rajampet Municipality Area, 5<sup>th</sup> ward nearby Door No. 5/657 described as punja from her vendor one Ms. Chavalamadugu Narayanamma vide Registered Sale Deed dated 24.05.2022. Now that the Municipality i.e., the 4<sup>th</sup> respondent claims the subject land as it belongs to it basing upon the proceedings read in the impugned order of the 2<sup>nd</sup> respondent</p> |             |

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|  |  | <p>dated 01.04.2023. The 2<sup>nd</sup> respondent directed the 3<sup>rd</sup> respondent to issue suitable instructions to the concerned Registration Authority for cancellation of the registrations registered vide document Nos. 1738 of 2022 dated 24.05.2022 and 4621 of 2022 dated 05.12.2022 as per Rules in force. He has further directed to take necessary action against the concerned officials who are involved in the above said registrations since the subject land belongs to the government and sought for compliance of the report. The 4<sup>th</sup> respondent is directed to take necessary action for cancellation of the above said registrations by lodging a complaint against the individuals who executed the registrations in the Government land to safeguard the public property.</p> <p>The learned counsel for the petitioner submits that the subject land covered under the document No. 1738 of 2022 is a private land and the petitioner with a valid sale consideration purchased the subject property in an extent of 136.11 Sq. yards as detailed in the schedule of the said sale deed dated 10.04.2023. Ever since, she has been in possession and enjoyment of the same. While so, the respondent-authorities found unilaterally that it is a government land and the</p> |  |
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|  |  | <p>2<sup>nd</sup> respondent passed the impugned order dated 01.04.2023 to take necessary steps directing the other authorities as described above to take necessary steps for the purpose of cancellation of the above said document which stands in the name of the petitioner.</p> <p>The learned Assistant Government Pleader for Revenue seeks time to file counter.</p> <p>In view of the above said facts and circumstances, it has to be examined by this Court whether the grounds raised by the petitioner are available when the respondents claim that the subject land is a government land and the impugned action is either sustainable or not?</p> <p>The above said issue can be gone into after filing counter by the respondents.</p> <p>In the meanwhile, there shall be an order of <i>status quo</i> as on today to be maintained with respect to the possession of the subject land covered under the document no. 1738 of 2022 dated 10.04.2023 pending further orders. However, it does not preclude for the respondent-authorities to proceed with the matter as per law pursuant to the impugned proceedings of the 2<sup>nd</sup> respondent dated 01.04.2023 by giving due opportunity to all the concerned including the petitioner.</p> |  |
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|  |  | <p>List after Summer Vacation, 2023.</p> <p>In the meanwhile, counters shall be filed by the respondents.</p> <p>The office is directed to print the name of the learned Standing Counsel for the 4<sup>th</sup> respondent.</p> <p style="text-align: right;"><hr/><b>BKM, J</b></p> <p>UPS</p> |  |
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