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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: 13754 OF 2022



Between:

S.Chandra Babu, S/o.Subbaramaiah, Aged 52 years, R/o. 2-20, Dasaradharama Colony Mallemguinta, Tirupathi Rural Mandal Tirupathi District (New)

...Writ Petitioner

AND

1. The State of Andhra Pradesh, Rep.by its Prl.Secretary Revenue Department Secretariat, Velagapudi Amaravathi, Guntur District.
2. The District Collector, Chittoor District Chittoor.
3. The District Collector, Tirupathi District Tirupathi.
4. The Tahsildar, Tirupathi Rural Mandal Tirupathi 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 Respondent No.4 herein in trying to dispossess the Petitioner herein and proposing to construct Graama Sachivaalayam in the land of the Petitioner herein an extent of Ac.0.98 ¼ cents in Sy.No.496/4C2 of Avilala Village lands of Tirupathi Rural Mandal, Chittoor District (old) now Tirupathi District without following due process of law as illegal, arbitrary and violation of Article 300-A of the Constitution of India and consequently direct the Respondent No.4 herein or his subordinates not to dispossess the Petitioner herein from the land an extent of Ac.0.98 ¼ cents in Sy.No.496/4C2 of Avilala Village lands of Tirupathi Rural Mandal, Chittoor District (old) now Tirupathi District.

IA NO: 1 OF 2022

Petition under Section 151 CPC is filed 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 Respondent No.4 herein or his subordinates not to dispossess / not to interfere with the possession and enjoyment of the Petitioner herein of his land an extent of Ac.0.98 ¼ cents in Sy.No.496/4C2 of Avilala Village lands of Tirupathi Rural Mandal, Chittoor District (old) now Tirupathi District, pending disposal of WP.No.13754 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 G.Ramesh Babu, Advocate for the Petitioner and GP for Revenue for the Respondents, the Court made the following.

ORDER:

“Learned Government Pleader for Revenue takes notice for respondents.

The case of the petitioner is that the respondent authorities granted D-Form Patta in respect of land an extent of Ac.2.53 cents in Sy.No.496/4 of Avilala village, Tirupathi Rural Mandal of Chittoor District in favour of one Rudraksh Venkata Ramaiah, who is the father-in-law of the petitioner on 10.02.1954, prior to the issuance of G.O.Ms.1142, dated 18.06.1954. After the death of original assignee, his wife viz., Jayamma succeeded the subject land and continued in possession and enjoyment of the same.

Since, they have no issues, they adopted the petitioner's wife S.Chengamma. During her lifetime i.e., R.Jayamma, executed a Will, bequeathing the subject land to petitioner's wife. After laying the road, the Government has sub-divided the survey No.496/4 comprising of Sy.No.496/4A1 (Ac.0.93 cents), Sy.No.496/4A2 (Ac.0.07 cents), Sy.No.496/4B (Ac.0.48 cents), Sy.No.496/4C1 (Ac.0.08 $\frac{3}{4}$ cents) and 496/4C2 (Ac.0.98 $\frac{1}{4}$ cents). The land in an extent of Ac.0.98 $\frac{1}{4}$ cents in Sy.No.496/4C2 is the subject matter in the present Writ Petition. While the matter stood thus, on 02.05.2022, the 4th respondent along with his staff came to the subject land and tried to dispossess the petitioner from the subject.

Learned Government Pleader for Revenue placed on record the instructions wherein it is stated that the assignment was cancelled for violation of conditions of assignment and the land was resumed to Government and since the date of cancellation and resumption the land is vested with the Government.

Having regard to the above, both parties are directed to maintain status-quo as on today for a period of eight (8) weeks.

List the matter immediately after summer vacation, 2022."

Sd/- K.Srinivasa Raju
ASSISTANT REGISTRAR

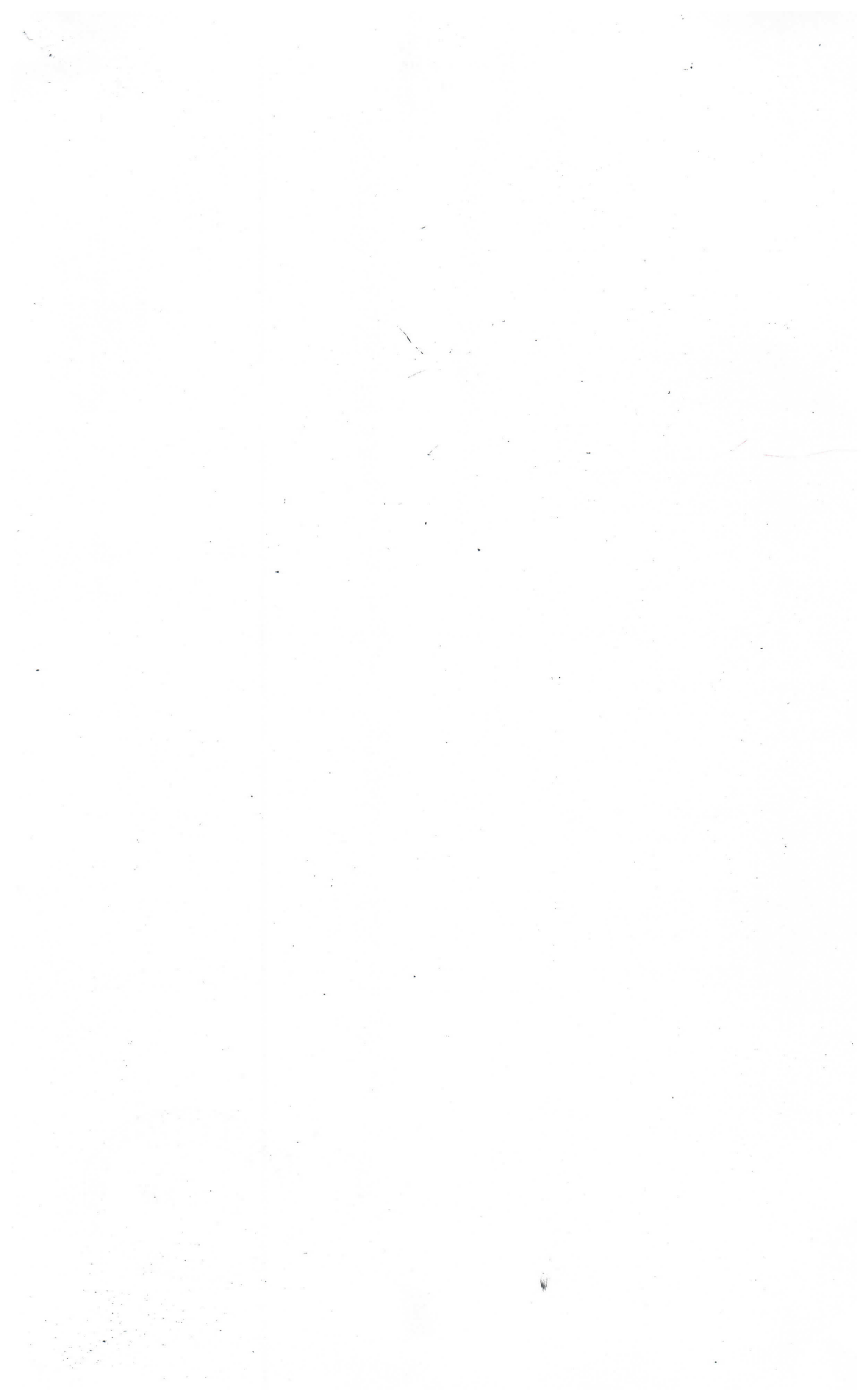
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For ASSISTANT REGISTRAR

To,

1. The Principal Secretary Revenue Department Secretariat, Velagapudi Amaravathi, Guntur District.
2. The District Collector, Chittoor District Chittoor.
3. The District Collector, Tirupathi District Tirupathi.
4. The Tahsildar, Tirupathi Rural Mandal Tirupati District. (Addressee Nos.1 to 4 by RPAD)
5. One CC to Sri. G.Ramesh Babu, Advocate [OPUC]
6. Two CCs to GP for Revenue, High Court of Andhra Pradesh. [OUT]
7. One spare copy

MM



HIGH COURT

VSJ

DATED:06/05/2022

NOTE: LIST THE MATTER IMMEDIATELY AFTER VACATION

ORDER

WP.No.13754 of 2022

DIRECTION

