

APHC010244682023



**IN THE HIGH COURT OF ANDHRA PRADESH
AT AMARAVATI
(Special Original Jurisdiction)**

[3330]

WEDNESDAY, THE TWENTY SECOND DAY OF APRIL
TWO THOUSAND AND TWENTY SIX

PRESENT

THE HONOURABLE SRI JUSTICE TARLADA RAJASEKHAR RAO

WRIT PETITION NO: 12905/2023

Between:

1. SMT. CHINNAACHANNAGARI LAKSHMI DEVI,, W/O
CHINNAACHANNAGARI SRINIVASULU, AGED 50 YEARS, R/O
ANANTHAGIRI VILLAGE, JAMMALAMADUGU MANDAL, Y.S.R.
KADAPA DISTRICT.

...PETITIONER

AND

1. THE STATE OF ANDHRA PRADESH, REP. BY ITS PRL. SECRETARY,
REVENUE DEPARTMENT, SECRETARIAT, VELAGAPUDI,
AMARAVATHI, GUNTUR DISTRICT.
2. THE DISTRICT COLLECTOR, Y.S.R. KADAPA KADAPA DISTRICT.
3. THE TAHSILDAR, MRO OFFICE, JAMMALAMADUGU
JAMMALOAMADUGU MANDAL, YSR KADAPA DT.

...RESPONDENT(S):

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 Writ of Mandamus, declaring the action of the respondents in not considering petitioner's application through spandana knowing that the petitioner is fully eligible for mutation of lands in the petitioner's name and more particularly trying to dispossess the petitioner from the land in Sy.No. 25, to an extent of Ac. 5.00 cents of Vemaguntapalle Village, Jammalamadugu

Mandal, Y .S .R Kariapa District, as illegal, arbitrary and unjust and consequently direct the respondents to consider the application dated 3-4-2023 for mutation of lands in petitioner's name, and pass

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 to consider the application of the petitioner dt. 3-4-2023 for mutation of lands to the extent of Ac.5.00 cents in Sy.No.25 of Vemaguntapalle Village, Jammalamadugu Mandal, Y.S.R.kadapa District, pending disposal of the Writ Petition before this Hon'ble Court, and pass

IA NO: 1 OF 2025

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 grant leave to the Respondent No.3 in the Writ Petition No. 12905 of 2023 to file counter affidavit in the above writ petition and pass

Counsel for the Petitioner:

1.GUTTAPALEM VIJAYA KUMAR

Counsel for the Respondent(S):

1.GP FOR REVENUE

The Court made the following:

THE HONOURABLE SRI JUSTICE TARLADA RAJASEKHAR RAO**WRIT PETITION No.12905 OF 2023****ORDER:**

The present Writ Petition is filed under Article 226 of the Constitution of India seeking the following relief:

“...to issue a Writ, Order or direction more particularly one in the nature of Writ of Mandamus, declaring the action of the respondents in not considering petitioner's application through spandana knowing that the petitioner is fully eligible for mutation of lands in the petitioner's name and more particularly trying to dispossess the petitioner from the land in Sy.No.25, to an extent of Ac.5.00 cents of Vemaguntapalle Village, Jammalamadugu Mandal, Y.S.R.Kadapa District, as illegal, arbitrary and unjust and consequently direct the respondents to consider the application dated 3-4-2023 for mutation of lands in petitioner's name, and pass such other order or orders ...”

2. Heard Sri G.Vijayakumar, learned counsel for the petitioner and learned Assistant Government Pleader for Revenue appearing on behalf of the respondents.

3. It is asserted in the affidavit filed in support of the writ petition that the petitioner has encroached upon land admeasuring Ac.5.00 cents in Sy.No.25 of Vemaguntapalle Village, Jammalamadugu Mandal, Y.S.R.Kadapa District, about twenty years ago. The petitioner submitted an application, dated 03.04.2023, through spandana seeking mutation of his name in the revenue records and for issuance of pattas and pattadar passbooks. However, the respondents have not considered the said application. Hence, the present writ petition has been filed challenging the action of the respondents in trying to

dispossess the petitioner, as the same is arbitrary, illegal and violation of Article 300A of the Constitution of India and consequently, seeking a direction to the respondents to mutate the name of the petitioner in the revenue records.

4. Learned counsel for respondent No.3 has filed a counter-affidavit, wherein, in paragraph No.6, it is stated that the petitioner has made false statements in the affidavit filed in support of the writ petition. The petitioner is not in possession and enjoyment of the land admeasuring Ac.5.00 cents in Sy.No.25 and is trying to grab the Government Land. It is also contended that the petitioner has not filed any representation before the authorities and is not a resident of Vemaguntapalli Village, where the property is situated.

5. This Court specifically posed a question to the learned counsel for the petitioner as to when the petitioner had occupied the land. However, there is no answer from the learned counsel for the petitioner. On perusal of the affidavit filed in support of the writ petition, the petitioner has not stated when she occupied the said land. There is no such evidence filed in support of the occupation of the property. In the absence of the same, the request of the petitioner cannot be considered. Further, the respondents have stated that the petitioner is not in possession of the land and is not a resident of the village where the property is situated. Hence, I see no merit in the writ petition.

6. Accordingly, the Writ Petition is dismissed. There shall be no order as to costs.

As a sequel thereto, miscellaneous petitions pending, if any, shall stand closed.

Date: 22.04.2026
KBN

JUSTICE TARLADA RAJASEKHAR RAO

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THE HON'BLE SRI JUSTICE TARLADA RAJASEKHAR RAO

WRIT PETITION No.12905 of 2023

Date: 22.04.2026
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