



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



MONDAY, THE FOURTH DAY OF AUGUST
TWO THOUSAND AND TWENTY FIVE

PRESENT

THE HONOURABLE SRI JUSTICE B KRISHNA MOHAN

WRIT PETITION NO: 16215 OF 2020

Between:

S.Gadelingamma, W/o S. Pampavthi Aged about 49 years, Occ: Daily
Wage Cooile R/o-Hoilagunda Village, Hoilagunda Mandal Kurnool Dist

...Petitioner

AND

1. The state of Andhra Pradesh, rep by its Principal Secretary Revenue department, Secretariat Buildings Veigapudi, Guntur District.
2. The District Collector, Kurnool Kurnool District.
3. The Revenue Divisional Officer, Adoni, Kurnool District
4. The Tahsildar, Hollagunda Mandal Kurnool 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 writ order or direction , more particularly one in the nature Writ of Mandamus declaring the action of the respondents after issuing of this endorsement also petitioner has given representation to the Tahsildar by requesting the Tahsildar that not to dispossess her from the subject land there is no response from the respondents No 4 in this circumstances petitioner is constrain to file writ petition hence requesting this Hon'ble Court to set aside the Illegal endorsement issued by the respondents No 4 and let the petitioner may be continue in the same premises which was allotted by the respondents No4 in the year 1995 Dated 27-12-1995.

IA NO: 1 OF 2020

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 not to dispossess the petitioner from the house site extent of Ac 0.02 cents in Survey No 562/A, Plot No 61, Situated in Holigunda Village and Mandal Kurnool District on 27-12-1995. pending disposal of the writ petition.

IA NO: 1 OF 2021

1. The state of Andhra Pradesh, rep by its Principal Secretary Revenue department, Secretariat Buildings Veigapudi, Guntur District.
2. The District Collector, Kurnool Kurnool District.
3. The Revenue Divisional Officer, Adoni, Kurnool District
4. The Tahsildar, Hollagunda Mandal Kurnool District

...Petitioners/Respondent

AND

S.Gadelingamma, W/o S. Pampavthi Aged about 49 years, Occ: Daily Wage Cooile R/o-Hoilagunda Village, Hoilagunda Mandal Kurnool District.

...Respondents/Petitioner

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 vacate the interim order granted on 11.09.2020 in W.P.No. 16215 of 2020.

Counsel for the Petitioner: SRI HANUMANTHA RAO VELLALACHERVU

Counsel for the Respondents: GP FOR REVENUE

The Court made the following order:



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

[3233]

MONDAY, THE FOURTH DAY OF AUGUST
TWO THOUSAND AND TWENTY FIVE

PRESENT

THE HONOURABLE SRI JUSTICE B KRISHNA MOHAN

WRIT PETITION NO: 16215/2020

Between:

1.S.GADELINGAMMA, W/O S. PAMPAVTHI AGED ABOUT 49
YEARS,OCC.DAILY WAGE COOILE R/O--HOILAGUNDA VILLAGE,
HOILAGUNDA MANDAL KURNOOL DIST

...PETITIONER

AND

- 1.THE STATE OF ANDHRA PRADESH, REP BY ITS PRINCIPAL
SECRETARY REVENUE DEPARTMENT, SECRETARIAT BUILDINGS
VEIGAPUDI, GUNTUR DISTRICT.
- 2.THE DISTRICT COLLECTOR, KURNOOL KURNOOL DISTRICT.
- 3.THE REVENUE DIVISIONAL OFFICER, ADONI, KURNOOL DISTRICT
- 4.THE TAHSILDAR, HOLLAGUNDA MANDAL KURNOOL DISTRICT

...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 topleased to writ order or direction , more particularly one in the nature WRIT OF MANDAMUS declaring the action of the respondents after issuing of this endorsement also petitioner has given representation to the tahsildar by requesting the tahsildar that not to dispossess her from the subject land there is no response from the respondents No 4 in this circumstances petitioner is constrain to file writ petition hence requesting this Hon'ble Court to set aside the Illegal endorsement issued by the respondents



No 4 and let the petitioner may be continue in the same premises which was allotted by the respondents No4 in the year 1995 Dated 27-12-1995. and pass

IA NO: 1 OF 2020

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 not to dispossess the petitioner from the house site extent of Ac 0.02 cents in Survey No 562/A, Plot No 61, Situated in Holigunda Village and Mandal Kurnool District on 27-12-1995. pending disposal of the writ petition, and pass

IA NO: 1 OF 2021

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 vacate the interim order granted on 11.09.2020 in W.P.No. 16215 of 2020 and pass

Counsel for the Petitioner:

1.HANUMANTHA RAO VELLALACHERVU

Counsel for the Respondent(S):

1.GP FOR REVENUE

The Court made the following ORDER:

Heard the learned counsel for the petitioner and the learned Assistant Government Pleader appearing for the respondents.

2. After issuing the endorsement also the petitioner has given representation to the Tahsildar requesting not to dispossess her from the subject land but there is no response from the 4th respondent. In these circumstances, the petitioner is constrained to file this writ petition, praying to set aside the illegal endorsement issued by the 4th respondent and let the petitioner may be continued in the same premises which was allotted by the 4th respondent, dated 27.12.1995.

3. The learned counsel for the petitioner submits that the petitioner has been allotted the house site patta in survey No.562/A, plot No.61 in an extent of Ac.0.02 cents situated at Holigunda Village and Mandal, Kurnool District, on 27.12.1995, immediately thereafter she took possession of the same and got permission from the Gram Panchayat to construct house on 27.06.2003 *vide* proceedings bearing B.A.No.2/200/2004.

4. On the other hand, the learned Assistant Government Pleader appearing for the respondents, relying upon the counter of the 4th respondent, submits that the petitioner gave legal notice through her advocate dated 10.12.2019. Even though, the house site

plot was allotted to the petitioner way back in the year 1995, no house was constructed on the said plot and stated that she is financially weak. But, as per the report of the V.R.O, Holagunda, Sri S.Chinna Pamapathi is residing in H.No.6-1268 of Holagunda Village & Mandal (own house). It was further ascertained that Sri S.Chinna Pamapathi is the husband of the petitioner who is working as Government teacher in Uttanuru Village which is at a distance of 8 K.M. from the Holagunda Village. The petitioner is not eligible for possessing the house site patta, as the said family would not come under the category of weaker sections/ BPL family. Hence, the 4th respondent acted as per the rules in respect of the cancellation of the house site patta of the petitioner as there is a violation of condition Nos.2 & 3 of the patta. In this connection, the resumption order was issued in the form of proceedings only *vide* Rc.B/208/2019, dated 12.12.2019 and the petitioner also acknowledged the receipt of the same on 14.12.2019. The petitioner has not questioned the said resumption order before the appellate authority i.e., the Revenue Divisional Officer, Adoni, even though it was clearly mentioned in the resumption order dated 12.12.2019 that "an appeal against this order lies before the Revenue Divisional Officer, Adoni, within a period of 30 days from the date of receipt of this order". But, on the representation of the petitioner, the District Collector, Kurnool, *vide* letter bearing No.Lr.Rc.No.E6/705/2020,

dated 10.06.2020, addressed the Tahsildar, Holagunda, to go through the contents, enquire into the matter and take necessary action. In view of the same, an endorsement was issued pursuant to the directions of the District Collector *vide* Rc.No.B/208/2019, dated 24.06.2020, to the petitioner. The petitioner gave explanation on 19.11.2019 to the notice served on the petitioner dated 12.11.2019 and then the endorsement was given on 12.12.2019, basing upon the explanation, which was not assailed before the appellate authority by the petitioner, as stated *supra*.

5. In view of the above said facts and circumstances, no relief can be granted to the petitioner in this writ petition.

6. Accordingly, the Writ Petition is dismissed. Interim order, if any, deemed to have been vacated. There shall be no order as to costs.

As a sequel, Interlocutory Applications pending, if any, shall stand closed.

//TRUE COPY//

Sd/- K TATA RAO
DEPUTY REGISTRAR
SECTION OFFICER

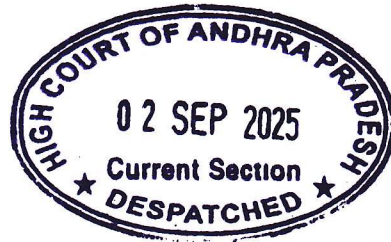
To,

1. One CC to Sri. Hanumantha Rao Vellalachervu Advocate [OPUC]
2. Two CCs to GP For Revenue, High Court of Andhra Pradesh [OUT]
3. Two CD Copies

GSC

HIGH COURT
DATED:04/08/2025

ORDER
WP NO. 16215 OF 2020



DISMISSING THE WP
WITHOUT COSTS