

[3332]

IN THE HIGH COURT OF ANDHRA PRADESH AT AMARAVATI

(SPECIAL ORIGINAL JURISDICTION)

FRIDAY, THE TWENTY SEVENTH DAY OF FEBRUARY

TWO THOUSAND AND TWENTY SIX

:PRESENT:

THE HONOURABLE SRI JUSTICE TARLADA RAJASEKHAR RAO

WP NOs: 30891 & 14030 OF 2023



WP.NO.30891 of 2023:

Between:

1. S Ekambaraswamy, S/o. Subbaiah, Aged about 66 years, Oce. Agriculture, R/o. Door No.1/2.11-18, Lakshmi Nagar, Kadapa, Y.S.R District,
2. S.Venkata Swamy, S/o Suhhaiah. Aged about 76 years, Oce. Agriculture. R/o.Door No.1 /211- 18a, Lakshrni Nagar, Kadapa. Y.S.R District.

... Petitioners

AND

1. The State of Andhra Pradesh, rep., by its Principal Secretary. Revenue Department, Secretariat Buildings, Velagapudi, Amaravathi.
2. The District Collector, Annamayya District, Rayachoty.
3. The Revenue Divisional Officer, Rajamepta Revenue Division. Annamayya District,
4. The Tahsildar, Pullampeta Mandal. Annamayya District.

.. Respondents

Petition under Article 226 of the Constitution of India is filed, 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 proceedings in R.ef.No.A/31/2017, dated 07.03.2017 issued by the respondent No.4 cancelling the MT assigned in petitioners favour for the land in an extent of Ac.5.00 cents in Sy.No.613-1 and Ac.5.00 cents in Sy.No.614-1 of Tippayaiahpalle Village fields, Pullampeta Mandal, Armamayya District and also deleting petitioners name from the online revenue records and updating the same as government land, that too without serving upon us either the notice or the cancellation proceedings as arbitrary, illegal, quite contrary to the provision of the AP Assigned Lands Act, 1989 and Violation of principles of Natural Justice and also to the well established legal principles apart from being violative of the fundamental and Constitutional rights guaranteed to petitioners under Articles 14, 19, 21. and 300-A of the Constitution of India and consequently set aside the same.

IA NO: 1 OF 2023

Petition under Section 151 CPC is filed praying that in the circumstances stated in the affidavit filed in support of the petition, the High Court may be pleased to suspend the proceedings in R.ef.No.A/31.12017. dated 07.03.2017 issued by the respondent No.4, pending disposal of WP No. 30891 of 2023, on the file of the High Court.

Petition coming on for hearing, upon perusing the Petition and the affidavit filed in support thereof and the earlier order of the High Court dt 29.11.2023 made in IA NO.1 OF 2023 and upon hearing the arguments of Sri Kasa Jaganmohan Reddy Advocate for the Petitioners, Assistant Public Prosecutor for the respondents,

WRIT PETITION NO: 14030 OF 2023

Between:

1. S Ekambaraswamy, S/o. Subbaiah. Aged about 66 years, Occ. Agriculture. Rio. Door No.1/211-18, Lakshmi Nagar, Kadapa. Y.S.R District.

2. S.Venkata Swamy, S/o. Subbaiah, Aged about 76 years, Occ. Agriculture. R/o.Door No.1/211-18a, Lakshmi Nagar, Kadapa, Y.S.R District

... Petitioners

AND

1. The State of Andhra Pradesh, rep.by its Principal Secretary, Revenue Department, Secretariat Buildings, Velagapudi, Amaravathi.
2. The District Collector, Annamayya District, Rayachoty
3. The Revenue Divisional Officer, Rajamepta Revenue Division, Annamayya District.
4. The Tahsildar, Pullampeta Mandal. Annamayya District.

... Respondents

Petition under Article 226 of the Constitution of India is filed praying that in the circumstances stated in the affidavit filed therewith, the High Court may be pleased to issue an appropriate order or direction more particularly one in the nature of Writ of Mandamus declaring the action of the respondent No.4 in deleting the names of the petitioners from the pattadar and possessor columns in the Online revenue records for the land an extent of Ac.5.00 cents in Sy.No.613-1 and Ac.5.00 cents in Sy.No.614-1 of Tippayaiahpalle Village files, Pullampeta Mandal, Y.S.R District and updating the same as Government land instead of conducting survey and demarcating the same as has been requested through F-Line Application Nos.DER011600554422 and DER011600554431, dated 21.01.2016 and Spandana Application No.ANMY20230109576, dated 09.01.2023 that too without putting them on notice, even though, the said land has been assigned in their favour through DKT patta Nos.2560/79 and 2561/79, dated 30.06.1970 and quite contrary to the manual revenue records as arbitrary, illegal, quite contrary to the provisions of the A.P.Rights in Land and Pattadar Pass Books Act, 1971 and the Andhra Pradesh Rights in Land and Pattadar Pass Book Rules, 1989 and also to the well settled principles of legal position laid down by this Hon'ble

Court in ChinnamPandurangam V/s Mandal Revenue Officer apart from being violative of the fundamental and Constitutional rights guaranteed to them under Articles 14, 19, 21 and 300-A of the Constitution of India and consequently

a. direct the respondent No.4 to restore the Online revenue records in their favour for the land in an extent of Ac.5.00 cents in Sy.No.613-1 and Ac.5.00 cents in Sy.No.614-1 of Tippayaiahpalle Village fields, Pullampeta Mandal, Y.S.R District

b. direct the respondent No.4 to conduct survey and demarcate the boundaries for the land in an extent of Ac.5.00 cents in Sy.No.613-1 and Ac.5.00 cents in Sy.No.614-1 of Tippayaiahpalle Village fields, Pullampeta Mandal, Y.S.R District.

IA NO: 1 OF 2023

Petition under Section 151 CPC is filed praying that in the circumstances stated in the affidavit filed in support of the petition, the High Court may be pleased to direct the respondent No.4 to suspend the Online Revenue Records updated in the name of Government for the land in an extent of Ac.5.00 cents in Sy.No.613-1 and Ac.5.00 cents in Sy.No.614-1 of Tippayaiahpalle Village fields, Pullampeta Mandal, Y.S.R District, pending disposal of WP 14030 of 2023, on the file of the High Court.

IA NO: 2 OF 2023

Petition under Section 151 CPC is filed 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 Spandana Application No.ANIVIY20230109576, dated 09.01.2023 and take appropriate action on the same, pending disposal of WP 14030 of 2023, 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 the order of the High Court, dated 03.07.2023 , 17.07.2023 & 07.10.2023 made herein and upon hearing the arguments of Sri Tirupathi Tharun Kishore, Advocate for the Petitioners and of Assistant GP for Revenue for the Respondents, the Court made the following:

COMMON ORDER

Interim order granted earlier by this Court is extended by four (04) more weeks.

List the matter after three (03) weeks.

//TRUE COPY//

**Sd/-U.SRIDEVI
DEPUTY REGISTRAR**

SECTION OFFICER

To,

1. One CC to SRI. V R REDDY KOVVURI Advocate [OPUC]
2. One CC to Sri Kasa Jaganmohan Reddy, Advocate [OPUC]
3. One CC to Sri Tirupathi Tharun Kishore [OPUC]
4. Two CCs to GP FOR REVENUE ,High Court Of Andhra Pradesh.
[OUT]
5. One spare copy.

ksr

HIGH COURT

TRR, J

DATED:27.02.2026

List the matter after three (03) weeks.

WP NOs: 30891 & 14030 OF 2023

INTERIM ORDER EXTENDED

