

**IN THE HIGH COURT OF ANDHRA PRADESH AT AMARAVATI
(SPECIAL ORIGINAL JURISDICTION)
MONDAY, THE THIRD DAY OF JULY
TWO THOUSAND AND TWENTY THREE**

:PRESENT:

**THE HONOURABLE SRI JUSTICE NINALA JAYASURYA
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 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 fields, 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: 2 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 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.

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 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.

The petition coming on for hearing, upon perusing the Petition and the affidavit filed in support thereof and upon hearing the arguments of Sri V R REDDY KOVVURI Advocate for the Petitioners and of GP FOR REVENUE for the Respondents, the Court made the following

ORDER:

"Heard learned counsel for the petitioners.

On the earlier occasion, while placing a copy of the written instructions dated 21.6.2023 received from the 4th respondent, learned Assistant Government Pleader for Revenue submitted that the subject matter land was resumed by an order dated 07.3.2017.

Learned counsel for the petitioners, after obtaining instructions, states that no such order was communicated to the petitioners.

List the matter on 17.7.2023 in Motion List, for filing counter.

In the meanwhile, *status quo* with regard to the subject matter property existing as on today shall be maintained in all respects by both the parties. "

**Sd/- T. MADHAVI
ASSISTANT REGISTRAR**

//TRUE COPY//

For ASSISTANT REGISTRAR

To,

- 1. The Principal Secretary, Revenue Department, State of Andhra Pradesh, 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. (Addresses 1 to 4 by RPAD)
5. One CC to SRI. V R REDDY KOWVURI Advocate [OPUC]
6. Two CCs to GP FOR REVENUE ,High Court Of Andhra Pradesh. [OUT]
7. One spare copy

npc

HIGH COURT

NJSJ

DATED:03/07/2023

List the matter on 17.7.2023 in Motion List, for filing counter.

ORDER

WP.No.14030 of 2023

STATUS QUO

