

[2692]

IN THE HIGH COURT OF ANDHRA PRADESH AT AMARAVATI

(Special Original Jurisdiction)

TUESDAY, THE FIFTH DAY OF NOVEMBER,

TWO THOUSAND AND TWENTY FOUR

: PRESENT:

THE HONOURABLE SMT JUSTICE KIRANMAYEE MANDAVA

WRIT PETITION NO: 20794 OF 2020

Between:

1. Chennareddy Madhusudhan Reddy, s/o Late Chennareddy Gopal Reddy, aged about 55 years, r/o Flat No.F2, Krishnasai Enclave, Dargamitta, SPSR Nellore District
2. Chennareddy Sasikumari, W/o. Late Chennareddy Madhusudan Reddy, R/o Flat No.F2 Krishna Sai Enclave, Dargamitta, SPSR Nellore District. Petitioner No.2 is brought on record as L.R to the deceased sole petitioner as per Court's Order dt.23.09.2023 vide order passed in I.A.No.1 of 2023

...Petitioner

AND

1. The State of Andhra Pradesh, rep. by its Principal Secretary, Revenue Department, Secretariat, Velagapudi, Amaravati Guntur District.
2. The Commissioner & Inspector, General of Stamps and Registration, Edupugallu, Kankipadu Mandal , Vijayawada.
3. The Director General, Anti-Corruption Bureau, NTR Admin Block, Pandit Nehru Bus Station, Vijayawada.
4. The District Collector, Chittoor District Chittoor.
5. The Vice-Chairman, Tirupathi Urban Development Authority, Tirupathi, Chittoor District.
6. The Revenue Divisional Officer, Tirupathi Division, Chittoor District.
7. The Tahsildar, Renigunta Mandal, Chittoor District.
8. The Inam Deputy Tahsildar, Chittoor District, Chittoor.

9. The Sub-Registrar, Renigunta Chittoor District.
10. The Station House Officer, Gajulamandyam Police Station, Renigunta mandal, Chittoor District.
11. Chillakuri Shivakumar Reddy, s/o Ramchandra Reddy, aged about 59 years, r/o 16-760, Sriram Nagar Colony, Srikalahasti Town, Chittoor 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, to declare the inaction of the respondent Nos. 1 to 4 in conducting thorough enquiry into the illegalities committed by the respondent Nos. 7 to 9 at the behest of unofficial respondent No. 11 herein in effecting the registration of four documents bearing Doc.Nos. 3474, 3475, 3476 and 3477 of 2020 in respect of the land in Sy.No. 517/1 admeasuring ac. 3.27 cents, 538/1 an extent of Ac 3.58 cents and Sy.Nos. 539/1 admeasuring ac. 20.00 cents situated at Yerramareddypalem village, Renigunta Mandal of Chittoor District, which are in NOTIONAL KHATA, without there being any land in physically in spite of the written representation dt. 28-8-2020 and 05-10-2020 followed by personal visits, as being illegal, arbitrary, unjust and unconstitutional and consequently direct the 1 to 4 respondent to conduct the enquiry and to take appropriate action against the respondent Nos. 7 to 9 and 11 herein in accordance with Law and to steps to cancel the above mentioned documents.

IA NO: 1 OF 2020

Petition under Section 151 CPC 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. 1 to 4 herein to consider and take immediate action pursuant to the representation dt.28-8-2020 and 05-10-2020 while keeping the registered documents bearing Doc.Nos.3474, 3475, 3476

and 3477 of 2020 in abeyance without making any changes in revenue records, pending disposal of WP 20794 of 2020, 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:09.11.2020 and upon hearing the arguments of Sri Sazid Kallur, Advocate for the Petitioner, GP for Revenue for the Respondent No.1,4,7 & 8, GP for Stamps for Respondent No.2 & 9, GP for Home for Respondent No.10, and of Smt. B. Vasantha Lakshmi, Advocate for the Respondent No.11, the Court made the following.

ORDER:

“On 09.11.2020, this Court has directed the 4th respondent-District Collector to conduct a thorough enquiry with regard to the allegations made in the writ petition against the respondent Nos.7 to 9 and submit report within four (04) weeks from the date of order. However, no report has been placed before this Court, so far. It appears from the record that the written instructions dated 07.05.2024 of the District Collector, Tirupati were placed before this Court on the last date of hearing, which reads as follows:

“(i) On filing of W.P.No.20794/2020, the Hon’ble High court of A.P., Amaravati has issued interim orders on 09.11.2020, directing the respondent No.4 (District collector, Chittoor) to conduct an enquiry thoroughly with regard to the allegations made in this writ petitions against respondent No.7 to 9 (The Tahsildar, Renigunta, The IDT, Chittoor and the Sub-Registrar, Gajulamandyam)

(ii) By the date of issuance of the above interim orders, new Districts were formed in A.P and the matter related to Tirupati District at present.

(iii) Keeping in view of the above directions of the Hon’ble Court, the Revenue Divisional Officer, Srikalahasthi has

Dated 29.09.2023 & 18.01.2024 directed to submit the detailed report regarding to the allegations made in the writ petition against the respondent Nos.7 to 9 (The Tahsildar, Renigunta, The IDT, Chittoor and the Sub-Registrar, Gajulamandiyam). But the report is still awaited from the Revenue Divisional Officer, Srikalahasthi.

(iv) Meanwhile the District collector has issued notices on 13.02.2024 before the District collector, Tirupati. On enquiry it is ascertained that, the post of Inam Deputy Tahsildar, Chittoor is vacant.

(v) Meanwhile the Election Commission has announced scheduled on 16.03.2024 and issued notification on 18.04.2024 for General Election to House of Parliamentary & Legislative Assembly to A.P 2024b and model code of conduct and election code came into force. This respondent is engaged in receiving the nomination, Randomization of EVMS and distributions, enforcement of MCC, training to polling personnel and verifying of polling centers etc which is mandatory as well as statutory and time bound work. In the instant case the records of Inam Deputy Tahsildar (Vacant), Chittoor are necessarily be examined to take further action in the matter.

(vi) It is further submitted that, soon after completion of election process, appropriate action shall be taken in the matter as per directions of the Hon'ble High Court.

It has been four years since the order was passed directing the 4th respondent to conduct enquiry. Till now, no report has been placed before this Court nor it is reported if any such enquiry has been conducted pursuant to the directions of this Court dated 09.11.2020.

Post after two (02) weeks.

By the next date of hearing, learned Government Pleader shall ensure that the copy of the report in compliance of the order dated 09.11.2020, is placed before this Court.

Registry is directed to communicate this order to the 4th respondent-District Collector."

Sd/- N. NAGAMMA
ASSISTANT REGISTRAR

//TRUE COPY//

For ASSISTANT REGISTRAR

To,

1. The Principal Secretary, Revenue Department, Secretariat, State of Andhra Pradesh, Velagapudi, Amaravati Guntur District. **(BY SPECIAL MESSENGER)**
2. The Commissioner and Inspector, General of Stamps and Registration, Edupugallu, Kankipadu Mandal, Vijayawada.
3. The Director General, Anti-Corruption Bureau, NTR Admin Block, Pandit Nehru Bus Station, Vijayawada.
4. The District Collector, Chittoor District Chittoor.
5. The Vice-Chairman, Tirupathi Urban Development Authority, Tirupathi, Chittoor District.
6. The Revenue Divisional Officer, Tirupathi Division, Chittoor District.
7. The Tahsildar, Renigunta Mandal, Chittoor District.
8. The Inam Deputy Tahsildar, Chittoor District, Chittoor.
9. The Sub-Registrar, Renigunta Chittoor District.
10. The Station House Officer, Gajulamandyam Police Station, Renigunta mandal, Chittoor District.
11. Chillakuri Shivakumar Reddy, s/o Ramchandra Reddy, aged about 59 years, r/o 16-760, Sriram Nagar Colony, Srikalahasti Town, Chittoor District **(Addressee Nos.2 to 11 by SPEED POST)**
12. One CC to Sri Sri Sazid Kallur, Advocate [OPUC]

13. One CC to Smt. B. VASANTHA LAKSHMI, STANDING COUNSEL [OPUC]
14. Two CCs to GP for Revenue, High Court of Andhra Pradesh. [OUT]
15. Two CCs to GP for Stamps, High Court of Andhra Pradesh. [OUT]
16. Two CCs to GP for Home, High Court of Andhra Pradesh. [OUT]
17. One spare copy

KJ

HIGH COURT

KM,J

DATED: 05/11/2024

POST AFTER TWO (02) WEEKS

ORDER

WP.No.20794 of 2020

DIRECTION

