

IN THE HIGH COURT OF ANDHRA PRADESH AT AMARAVATI
(SPECIAL ORIGINAL JURISDICTION)

THURSDAY, THE ELEVENTH DAY OF MAY,
TWO THOUSAND AND TWENTY THREE

:PRESENT:

THE HONOURABLE SRI JUSTICE B KRISHNA MOHAN
WRIT PETITION No. 22454 of 2022



Between:

Mr. Pratap C. Joisher, aged about 82 years, R/o. 3rd Floor, Udaya Bhanu Apartments, Mahatma Gandhi Road. Ghatkopur, Mumbai - 400 073

....Petitioner

AND

1. The State of Andhra Pradesh, Represented by its Principal Secretary, Revenue Department, Secretariat Buildings, Velagapudi, Andhra Pradesh
2. The Collector and District Magistrate,, Sri Sathya Sai District, Collectorate Office, Satya Sai Mirpuri College of Music, Gokulam, Main Road, Puttaparthi- 515 134, Sri Sathya Sai District.
3. The Sub-Collector/Revenue Divisional Officer, Office of RDO, Penukonda - 515 110, Sri Sathya Sai District.
4. The Tahsildar, Office of Tahsildar, Gundepalli Village, Somandepalli Mandal - 515 122 Sri Sathya Sai District.
5. Mr. Vikram Jethalal Joisher, S/o. late Jethalal Haridas Joisher, Residing at Nos.160 and 170, Sant Thukaram Road, Banushali Chambers, Masjid Bundar, Mumbai -400 009.
6. M/s. Shri Jyothiraadhitya Infra, A registered Partnership firm, Having its office at D.No 1-713-1 A, Rudrampeta, Opposite Reliance Info Comm, Anantapuramu, 515004.

....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 any order, direction or writ more particularly one in the nature of Writ of Mandamus declaring the actions of the Respondents No.1 to 4, more particularly Respondent No.4, in amending the record of rights / adangal to the extent of 202 acres in Sy.No.83-1 of subject property as arbitrary, illegal, contrary to the procedure established under the Act and Rules, in violation of the Status quo Order passed by this Hon'ble Court in W.P. No.21407 of 2008 and in gross violation of principles of natural justice and consequently set aside the amendment made to the record of rights/adangal to the extent of 202 acres in Sy.No.83-1 of subject property and further direct the respondents not to carryout any amendment to the record of rights in respect of subject property.

I.A.No. 1 of 2022 :-

Petition under Section 151 CPC is filed praying that in the circumstances stated in the affidavit filed in support of W.P., the High Court may be pleased to direct the Respondents No.1 to 4 not to carry any amendment to the record of rights/Adangal in respect of subject property pending the disposal of W.P.No. 22454 of 2022, on the file of the High Court.

I.A.No. 2 of 2022 :-

Petition under Section 151 CPC is filed praying that in the circumstances stated in the affidavit filed in support of the W.P. petition, the High Court may be pleased to suspend the amendment carried out in record of rights/adangal to the extent of 202 acres in Sy.No.83-1 of the subject property Pending disposal of W.P. 22454 of 2021, 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 Orders of the High Court dated 27.07.2022, 29.09.2022 & 01.12.2022, 30.01.2023, 23.02.2023, 10.03.2022, 17.03.2023 27.04.2023 & 04.05.2023 made herein and upon hearing the arguments of Sri Avinash Desai Advocate for the Petitioner Additional Advocate General and G.P. for Revenue for the Respondent Nos. 1 to 4 ,Sri Rama Krishna Pativada, Advocate for Respondent Nos. 5 and 6, and the Court made the following

ORDER:

List after Summer Vacation, 2023.

Interim Order granted earlier by this Court dated 04.05.2023 is extended till then from today.

//TRUE COPY//

A.

Sd/-P.V.Ramana
JOINT REGISTRAR

SECTION OFFICER
OFFICE

To

1. Two CCs to the Addl. Advocate General, High Court of A.P., at Amaravati(OUT)
2. Two CCs to the G.P. for Revenue, High Court of A.P., at Amaravati(OUT)
3. One CC to Sri Avinash Desai, Advocate(OPUC)
3. One CC to Sri Rama Krishna Pativada, Advocate(OPUC)
4. One spare copy.

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HIGH COURT

BKM,J

DATED:11/05/2023

List after Summer Vacation, 2023.

ORDER

W.P.No. 22454 of 2022.

INTERIM ORDER EXTENDED

