

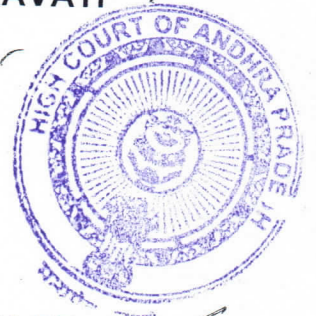
IN THE HIGH COURT OF ANDHRA PRADESH AT AMARAVATI
(SPECIAL ORIGINAL JURISDICTION)

MONDAY, THE NINTH DAY OF SEPTEMBER,
TWO THOUSAND AND TWENTY FOUR

:PRESENT:

THE HONOURABLE SRI JUSTICE GANNAMANENI RAMAKRISHNA PRASAD

WRIT PETITION NO: 19481 OF 2024



Between:

Dr.Mudunuri Divya, D/o Dr. Mudunuri Gopala Krishna Raju, Aged about 38 years, C/o Bhaskara Raju Hospitals, D.No.14-10-9, Prakash Nagar, Rajamahendravaram, East Godavari District.

...Petitioner

AND

1. The State of Andhra Pradesh, Rep., by its Principal Secretary, Revenue Department, Secretariat, Velagapudi, Amaravathi, Guntur District.
2. The District Collector, West Godavari District.
3. The Tahsildar, Nidamaru, West Godavari District.
4. Ogirala Mahesh Babu, S/o Swamy @ Somayya, Amudalapalli Village, Thokalapalli Post, Nidamaru Mandal, West Godavari 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 Writ, Order or Direction more particularly one in the nature of Writ of *Mandamus* directing the official respondents No.1 to 3 to forbear from enforcing the impugned notice in ROC.27/2007 (B) dated 22.6.2024 and order bearing ROC No.234/2013 (B), dated 23.7.2024 of the respondent No.3/Tahsildar in respect of land to an extent of Ac.2.27 cents in Survey No. 111 situated in Amudalapalli Village, Nidamaru Mandal, West Godavari District by holding them to be illegal, without jurisdiction and contrary to the provisions of the A.P.Act 9 of 1977 and is in violation of principles of Natural

Justice, Articles 21 and 300-A of the Constitution of India and the law laid down by this Hon'ble Court and consequently to set aside the same.

IA NO: 1 OF 2024

Petition under Section 151 of 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 operation of the impugned order passed by the respondent No.3 in ROC No.234/2013 (B) dated 23.7.2024 in respect of the land to an extent of Ac.2.27 cents bearing R.S.No.111 situated in Amudalapalli Village, Nidamaru Mandal, West Godavari District, pending disposal of WP 19481 of 2024, 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 A.V.Pardha Saradhi, Advocate for the Petitioner and of GP for Revenue for Respondent Nos. 1 to 3, the Court made the following

ORDER:

“Heard Sri A.V. Pardhasaradhi, Learned Counsel for the Writ Petitioner and Sri Y.Balaji, Learned Government Pleader for Revenue appearing for the Respondent Nos.1 to 3.

2. Learned Counsel for the Writ Petitioner submits that the Impugned Notice dated 22.06.2024 and the Impugned Order dated 23.07.2024 (Exs.P.1 & P.3 respectively) are bad in law inasmuch as the Writ Petitioner owns the subject land by virtue of registered Sale Deeds dated 16.12.1992, 05.08.1998 & 06.08.1998 and registered Settlement Deeds dated 25.03.2000 & 27.03.2000. Learned Counsel for the Writ Petitioner has also drawn the attention of this Court to the relevant documents to indicate the ownership.

3. *Prima facie*, in view of the Sale Deeds being possessed by the Writ Petitioner, this Court is of the opinion that the balance of convenience lies in favour of the Writ Petitioner.

4. Accordingly, there shall be a Stay of the Impugned Proceeding bearing Roc.No.234/2013(B), dated 23.07.2024 (Ex.P.3) until further Orders.
5. Let Counter Affidavit be filed within four weeks. Two weeks thereafter for filing Re-joinder, if any.
6. List the matter on 26.10.2024."

//TRUE COPY//

AS

Sd/- K. J. RAJA BABU
ASSISTANT REGISTRAR

ch
SECTION OFFICER

To,

1. The Principal Secretary, Revenue Department, State of Andhra Pradesh, Secretariat, Velagapudi, Amaravathi, Guntur District.(by **SPECIAL MESSENGER**)
2. The District Collector, West Godavari District.
3. The Tahsildar, Nidamaru, West Godavari District.
4. Ogirala Mahesh Babu, S/o Swamy @ Somayya, Amudalapalli Village, Thokalapalli Post, Nidamaru Mandal, West Godavari District.
(Addressee Nos. 2 to 4 by RPAD)
5. One CC to SRI PARDHA SARADHI A V Advocate [OPUC]
6. Two CCs to GP FOR REVENUE, High Court of Andhra Pradesh. [OUT]
7. One spare copy.

PSD

HIGH COURT

GRKP,J

DATED:09/09/2024

NOTE: LIST THE MATTER ON 26.10.2024

ORDER

WP.No.19481 of 2024

STAY

