

IN THE HIGH COURT OF ANDHRA PRADESH AT AMARAVATI
(Special Original Jurisdiction)

WEDNESDAY, THE SIXTH DAY OF AUGUST
TWO THOUSAND AND TWENTY FIVE

: PRESENT:

THE HONOURABLE SMT JUSTICE KIRANMAYEE MANDAVA

WRIT PETITION NO: 20706 OF 2025

Between:

1. Bommadevara Nagamani, W/o. Late B.Seshubabu, aged 50 years, R/o D.No.10-3-6, Meduri vari street, Ramarao peta, Kakinada Rural, Kakinada, East Godavari District.
2. Bommadevara Tarun Kumar, S/o Late B.Seshubabu, Aged 31 years, R/o D.No.10-3-6, Meduri vari street, Ramarao peta, Kakinada Rural, Kakinada East Godavari District.

Petitioners

AND

1. The State of Andhra Pradesh, Rep by its Principal Secretary, Women and Child Welfare Department, Secretariat Buildings, Velagapudi, Amaravathi, Guntur District.
2. The District collector, Kakinada District, Kakinada
3. The Revenue Divisional Officer, Kakinada.
4. Smt. Bommadevara Raghava, W/o. Late B. Daya Babu, Aged 72 years, D.No.10-3-6, Meduri Vari Street, Ramarao pet, Kakinada.
5. The District Revenue Officer, Kakinada.

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 a writ, order or direction more particularly one in the nature of writ of mandamus, declaring the impugned order made by the 3rd respondent in reference number Ref.D/674/2024, dt.07.04.2025 under the provisions of The Maintenance and Welfare of Parents and Senior Citizens Act, 2007, wherein the 3rd respondent directed the petitioners to vacate from the house bearing D.No.10-3-6, Meduri vari street, Ramarao pet, Kakinada even by declaring property rights in favour of 4th respondent, whereas the petitioners have got the property rights over the scheduled property by way of registered gift deed document number 8525 of 2004, dt.30.08.2004 as illegal, arbitrary and violative of Article 14 of the Constitution of India, apart from contrary to the provisions of the Maintenance and Welfare of Parents and Senior Citizens Act, 2007, itself consequently set aside the same by further declaring the action of District Revenue Officer i.e., 5th respondent in issuing endorsement No.53488/M1, dt .07.2025 without any authority or jurisdiction, as illegal, arbitrary.

IA NO: 1 OF 2025

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 grant interim suspension of impugned proceedings No Ref.D/674/2024, dt 07.04.2025, on the file of 3rd respondent including eviction of petitioners from the house bearing D.No.10-3-6, Meduri Vari Street, Ramarao pet, Kakinada, Pending disposal of WP No.20706 of 2025, 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 G V Shivaji, Advocate for the Petitioners, and of GP for Women Dev & Child

Welfare for the Respondent No.1, and of GP for Revenue for Respondent Nos. 2, 3 & 5 the Court made the following.

ORDER

Learned counsel for the petitioners is permitted to take out notice to unofficial respondent No.4 through Registered Post with Acknowledgment Due and file proof of service in the Registry by the next date of hearing.

Post on 10.09.2025.

It is needless to observe that the petitioners shall not cause any obstruction or disturbance to the 4th respondent's stay in the subject premises.

SD/- B.PRASAD RAO
ASSISTANT REGISTRAR

SECTION OFFICER

//TRUE COPY//

To,

1. The Principal Secretary, State of Andhra Pradesh, Women and Child Welfare Department, Secretariat Buildings, Velagapudi, Amaravathi, Guntur District.
2. The District collector, Kakinada District, Kakinada
3. The Revenue Divisional Officer, Kakinada.
4. Smt. Bommadevara Raghava, W/o.Late B.Daya Babu, Aged 72 years, D.No 10-3-6, Meduri Vari Street, Ramarao pet, Kakinada.
5. The District Revenue Officer, Kakinada. (1 to 5 by RPAD)
6. One CC to Sri G V Shivaji, Advocate [OPUC]

7. Two CCs to GP for Women Dev & Child Welfare, High Court of Andhra Pradesh [OUT]
8. Two CCs to GP for Revenue, High Court of Andhra Pradesh [OUT]
9. One spare copy

HIGH COURT

KM, J

DATED: 06/08/2025

POST ON 10.09.2025

ORDER

WP.NO.20706 OF 2025

DIRECTION

