

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

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

:PRESENT:

THE HON'BLE SRI JUSTICE GANNAMANENI RAMAKRISHNA PRASAD

WRIT PETITION NO: 20700 OF 2024



Between:

1. Ambati Sumathi, W/o Chandraiah, Aged about 54 years, Occ House Wife, R/o Chedullapakam Village, Varadappalem Mandal, Tirupati District, Erstwhile Chittoor District
2. P. Jayanthi, W/o P. Chandrasekhar, Aged about 56 years, Occ House Wife, R/o Bathavallam, Chilamathur, Chittoor District.

Petitioners

AND

1. The State of Andhra Pradesh, Rep. by its Principal Secretary, Revenue Department, Secretariat Buildings, Velagapudi, Amaravathi.
2. The District Collector, Tirupati District, (Erstwhile Chittoor District)
3. The Tahsildar, Varadappalem Mandal, Tirupati District, (Erstwhile Chittoor District)
4. Jarugumalli Girijamma, W/o Jarugumalli Ramanayya, Aged about 50 years, Occ Not known, R/o Chedullapakam Village, Varadappalem Mandal, Tirupati District, Erstwhile Chittoor District.

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 a WRIT OF MANDAMUS declaring the action of the respondents herein particularly Respondent No.3 in not initiating any steps on the application of petitioners dated 20.01.2024, for issuance of Pattadar Pass

Books and for mutation of Petitioners names in the revenue records like 1-B, Adangal etc, pertaining to the land of an extent of Ac.4.54 cents situated at Sy.No.287/2 of Chedullapakam Village, Varadayypalem Mandal, Tirupati District, Erstwhile Chittoor District, by deleting the name of the Respondent No.4 in the revenue records, despite issuance of notices to the Respondent No.4 dated 25.01.2021, 24.02.2024 and 19.03.2024 as illegal, arbitrary, unjust and violative of Principles of Natural Justice apart from violation of the provisions of A.P Rights in Land and Pattadar Passbooks Act, 1971 and the Articles 14, 21 and 300-A of The Constitution of India and consequently direct the Respondent No.3 to consider the petitioners application dated 20.01.2024 for issuance of Pattadar Passbooks and for mutation of petitioners name in the revenue records pertaining to the land of an extent of Ac.4.54 cents situated at Sy.No. 287/2 of Chedullapakam Village, Varadayypalem Mandal, Tirupati District, Erstwhile Chittoor District, by deleting the name of the Respondent No.4 in the revenue records, forthwith.

IA NO: 1 OF 2024

Petition under Section 151 CPC is filed 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.3 to consider the petitioner's application dated 20.01.2024 for issuance of Pattadar Passbooks and for mutation of petitioners name in the revenue records pertaining to the land of an extent of Ac.4.54 cents situated at Sy.No. 287/2 of Chedullapakam Village, Varadayypalem Mandal, Tirupati District, Erstwhile Chittoor District, by deleting the name of the Respondent No.4 in the revenue records, pending disposal of the Writ Petition No.20700 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.P.Anand Surya, Advocate appearing on behalf of SRI.SURESH KUMAR REDDY KALAVA Advocate for the Petitioners and Sri Arjun Chowdary, Assistant Government Pleader for Revenue for Respondent Nos.1 to 3, the Court made the following.

ORDER:

“Heard Sri P.Anand Surya, learned Counsel appearing on behalf of Sri.Suresh Kumar Reddy Kalava learned Counsel for the Petitioners and Sri Arjun Chowdary, learned Assistant Government Pleader for Revenue.

2. Learned counsel for the Petitioners submits that the name of the Respondent No.4 was mutated in the revenue record without issuing any Notice to the Writ Petitioner. Learned Counsel would submit that the Representation submitted by the Writ Petitioners on 20.01.2024 has also not been considered by the Respondents.
3. Learned Assistant Government Pleader takes Notice for Respondent Nos.1 to 3.
4. Learned counsel for the petitioners is directed to takeout personal Notice in respect of Respondent No.4 within one week from today and file proof of receipt of Notice within a week thereafter.
5. Let Counter Affidavit be filed within four weeks. Two weeks thereafter for filing Rejoinder, if any.

6. Post on 25.11.2024."

Sd/- B. CHITTI JOSEPH
ASSISTANT REGISTRAR

//TRUE COPY//

SECTION OFFICER

For ASSISTANT REGISTRAR

To,

1. The Principal Secretary, Revenue Department, State of Andhra Pradesh, Secretariat Buildings, Velagapudi, Amaravathi.(by Special Messenger)
2. The District Collector, Tirupati District, (Erstwhile Chittoor District)
3. The Tahsildar, Varadappalem Mandal, Tirupati District, (Erstwhile Chittoor District)
4. Jarugumalli Girijamma, W/o Jarugumalli Ramanayya, R/o Chedullapakam Village, Varadappalem Mandal, Tirupati District, Erstwhile Chittoor District. (2 to 4 by RPAD)
5. One CC to SRI.SURESH KUMAR REDDY KALAVA Advocate [OPUC]
6. Two CCs to GP FOR REVENUE, High Court of Andhra Pradesh. [OUT]
7. One spare copy

SRL

HIGH COURT

GRKP,J

DATED:23/09/2024

NOTE: POST ON 25.11.2024

ORDER

WP.No.20700 of 2024

DIRECTION

