



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

[3458]

**TUESDAY, THE SEVENTEENTH DAY OF FEBRUARY
TWO THOUSAND AND TWENTY SIX**

PRESENT

THE HONOURABLE SMT JUSTICE KIRANMAYEE MANDAVA

WRIT PETITION NO: 26695/2022

Between:

- 1.LADDAGIRI LAKSHMI NARASAMMA,, D/O LATE LADDAGIRI LAKSHMI NARASIAH, AGE ABOUT 64 YEARS, OCC.- AGRICULTURE, R/O D. NO.26-3/147, KANNELUR VILLAGE, JAMMALAMADUGU MANDAL, YSR KADAPA DISTRICT.
- 2.KOMANDURU PADMAVATHI,, D/O LATE LADDAGIRI LAKSHMI NARASIAH, AGE ABOUT 55 YEARS, OCC.- HOUSE WIFE, R/O H.NO.4-2-21-D-7, KRISHNA NAGAR, MADANAPALLE, CHITTOOR DISTRICT-571325.

...PETITIONER(S)

AND

- 1.THE STATE OF ANDHRA PRADESH, REP. BY ITS PRINCIPAL SECRETARY, REVENUE DEPARTMENT, SECRETARIAT BUILDINGS, VELAGAPUDI, AMARAVATI.
- 2.THE DISTRICT COLLECTOR, YSR KADAPA DISTRICT, KADAPA.
- 3.THE REVENUE DIVISIONAL OFFICER, JAMMALAMADUGU DIVISIONAL, JAMMALAMADUGU, YSR KADAPA DISTRICT.
- 4.THE TAHSILDAR, JAMMALAMADUGU MANDAL, YSR KADAPA DISTRICT.
- 5.LADDAGIRI NARESH, SRI LADDAGIRI VISHNUVARDHAN RAO, AGE ABOUT 38 YEARS, OCC- GOVT. EMPLOYEE, R/O 26-3-132, KANNELUR VILLAGE, JAMMALAMADUGU MANDAL, YSR KADAPA.

6.Y HIMA BINDU, W/O LADDAGIRI NARESH, AGE ABOUT 32 YEARS,
OCC- GOVT. EMPLOYEE, R/O H.NO.26-3- 132, KANNELUR
VILLAGE, JAMMALAMADUGU MANDAL, YSR KADAPA

...RESPONDENT(S):

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 Mandamus declaring the action of the respondents herein for deleting the name of the petitioners' father from the revenue records such as, Adangal, ROR, Pattadar Passbook and Form 1-B (ROR) etc., in respect of the land to an extent of Ac.02.64 cents in Sy.No.144/1, situated at Gorigenuru Village fields, Jammalamadugu Mandal, YSR Kadapa District and not considering the petitioners' representations dated 04-07-2022 and 20-07-2022, for mutation of their names in revenue records by deleting the names of the respondents 5 and 7, as illegal, unjust, in violation of Articles 14 and 300-A of the Constitution of India and consequently direct the respondents to mutate the names of the petitioners in revenue records in respect of the land to an extent of Ac.02.64 cents in Sy.No.144/1, situated at Gorigenuru Village fields, Jammalamadugu Mandal, YSR Kadapa District and issue Pattadar pass books, title deeds, Form-1 (ROR) etc., in favour of the petitioners and pass

IA NO: 1 OF 2022

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 direct the 4th respondent to conduct the enquiry as per the direction of the 3rd respondent vide letter vide No.A1/989/2021 dated 22-07-2022, pending disposal of writ petition and pass

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 leave to the Respondent No.4 to file counter affidavit in the above writ petition and pass

Counsel for the Petitioner(S):

1.MUJTAHID HUSSAIN

Counsel for the Respondent(S):

1.GP FOR REVENUE

2.G RAMESH BABU

The Court made the following Order:

Heard Sri Mujtahid Hussain, learned counsel for the petitioners and learned Assistant Government Pleader for Revenue appearing for the respondents.

2. The instant writ petition is filed challenging the action of the respondents in deleting the name of the petitioners' father in the Revenue records and mutating the names of the unofficial respondents.

3. It is contended that the petitioners' father was the absolute owner of the subject property of Ac.2.64 cents in Sy.No.144/1, Gorigenuru Village fields, Jammalamadugu Mandal, YSR Kadapa District, and that he had expired on 03.02.2010, leaving behind the petitioner, their mother, and brother as legal heirs to their father. Thereafter, the petitioners' brother expired on 18.06.2013, and their mother also died on 29.03.2021, leaving the petitioners as the sole legal heirs. When the petitioners have sought for the partition of the subject land among all the legal heirs, the petitioners have noticed the changes in the Revenue records including the name of the owner of the subject property and that the name of the respondent Nos.5 and 6 in the place of the petitioners' father, respondent No.5 is the nephew of the petitioner and 6th respondent is 5th respondent's wife. Thus, the instant writ petition is filed seeking direction to

the respondents to delete the names of the respondent Nos. 5 and 6 and to mutate their names in the Revenue records.

4. Learned counsel for the petitioners further contended that pursuant to the said deletion of the petitioners' father's name, the petitioners made representations to the 2nd respondent in the *Spandana* programme. The same was forwarded to the 3rd respondent. The said application was taken up as an appeal filed under Section 5(5) of the Andhra Pradesh Rights in Land and Pattadar Passbooks Act, 1971. However, no further orders have been passed on the said application. It is further stated by the learned counsel for the petitioners that in pursuance to the said application the 3rd respondent has called for report from the 4th respondent. The 4th respondent has not submitted any report sought by the 3rd respondent.

5. The 4th respondent filed counter affidavit stating that the grievance of the petitioners is not maintainable as the petitioners have not separately filed statutory appeal under section 5(5) of the Andhra Pradesh Rights in Land and Pattadar Passbooks Act, 1971.

6. While not disputing the petitioners' father as the owner of the subject property it has been stated that the mutation of the names of the unofficial respondents have been effected after issuing notice to the petitioners, however, the petitioners did not file any objections. As such, the mutation proceedings have been approved.

7. Considered the rival submissions.

8. Having regard to the fact that vide the proceedings of the Revenue Divisional Officer dated 22.07.2022, the application of the petitioners have been taken on record as an appeal under Section 5(5) of the ROR Act, this Court therefore is of the view that the interest of justice would be met if a direction is given to the 3rd respondent to consider and dispose of the application filed by the petitioners. Accordingly the, 3rd respondent-Revenue Divisional Officer is directed to pass appropriate orders on the application of the petitioners which has been taken up by him as an appeal under Section 5(5) of the ROR Act in accordance with law within a period of eight (08) weeks from the date of receipt of copy of this order after giving opportunity of hearing to both the petitioners and the unofficial respondents herein. Further, the 4th respondent is also directed to submit a report afresh as called for by the 3rd respondent vide proceedings dated 22.07.2022.

9. Accordingly, the writ petition is disposed of. There shall be no order as to costs.

As a sequel, miscellaneous applications pending, if any, shall stand closed.

JUSTICE KIRANMAYEE MANDAVA

Date: 17.02.2026
PBS

205**THE HONOURABLE SMT JUSTICE KIRANMAYEE MANDAVA****WRIT PETITION NO: 26695 OF 2022**Date: 17.02.2026
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