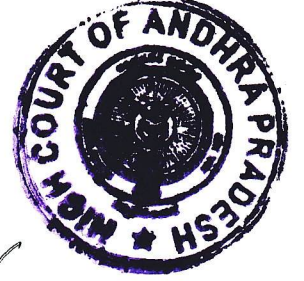


**IN THE HIGH COURT OF ANDHRA PRADESH :: AMARAVATI
(Special Original Jurisdiction)**

**MONDAY, THE TENTH DAY OF MARCH
TWO THOUSAND AND TWENTY FIVE**

PRESENT

THE HONOURABLE SRI JUSTICE T.C.D.SEKHAR



WRIT PETITION NO: 106 OF 2020

Between:

Dasari Devi Bhagvathi, W/o. Venkat Rao, Aged about 50 years, R/o. Gokavaram
Village and Mandal, East Godavari District.

...PETITIONER

AND

1. State of Andhra Pradesh, Rep. by its Principal Secretary, Revenue Department, Secretariat Buildings, Velagapudi, Amaravati, Guntur District.
2. The District Collector, East Godavari at Kakinada.
3. The Revenue Divisional Officer, Raj ahmahendravaram, East Godavari District.
4. The Tahsildar, Gokavaram, East 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 declaring the proposed action of the respondents in

changing the nature of the property of an extent of Ac.8.40 cents in Sy.No.82/3A,1B, 14/2A and 13/4A of Thantikonda Village, Gokavaram Mandal, East Godavari District pending a claim petition before the 3rd respondent in LCC No.1335,1336/RJY/1975 by dispossessing the petitioner as illegal, arbitrary and violative of principles of natural justice and consequently directing the respondents not to meddle with the said property in any respect.

IA NO: 1 OF 2020

Petition under Section 151 CPC 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 respondents not to change the nature of the property of an extent of Ac.8.40 cents in Sy.No.82/3A,1B, 14/2A and 13/4A of Thantikonda Village, Gokavaram Mandal, East Godavari District by dispossessing the petitioner in any respect till disposal of claim petition.

IA NO: 2 OF 2020

Between:

1. State of Andhra Pradesh, Rep. by its Principal Secretary, Revenue Department, Secretariat Buildings, Velagapudi, Amaravati, Guntur District.
2. The District Collector, East Godavari at Kakinada.
3. The Revenue Divisional Officer, Raj ahmahendravaram, East Godavari District.
4. The Tahsildar, Gokavaram, East Godavari District.

...PETITIONERS/RESPONDENTS

AND

Dasari Devi Bhagvathi, W/o. Venkat Rao, Aged about 50 years, R/o. Gokavaram Village and Mandal, East Godavari District.

...RESPONDENT/PETITIONER

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 vacate the interim order granted on 03-01-2020 in WP.No.106 of 2020.

Counsel for the Petitioner : SRI T. V. S. PRABHAKARA RAO

Counsel for the Respondents: GP FOR REVENUE

The Court made the following: ORDER

APHC010449492019



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

[3505]

MONDAY, THE TENTH DAY OF MARCH
TWO THOUSAND AND TWENTY FIVE

PRESENT

THE HONOURABLE SRI JUSTICE T.C.D.SEKHAR

WRIT PETITION NO: 106/2020

Between:

Dasari Devi Bhagvathi

...PETITIONER

AND

State Of Andhra Pradesh and Others

...RESPONDENT(S)

Counsel for the Petitioner:

1. T V S PRABHAKARA RAO

Counsel for the Respondent(S):

1. GP FOR REVENUE (AP)

The Court made the following order:

The present writ petition is filed questioning the proposed action of the respondents in changing the nature of the property, admeasuring an extent of Ac.8.40 cents in Sy.No.82/3A, 1B, 14/2A and 13/4A of Thantikonda Village, Gokavaram Mandal, East Godavari District, pending the claim petition said to have been filed by the petitioner before the 3rd respondent in LCC.No.1335, 1361/RJY/1975, and trying to dispossess the petitioner from the subject lands.

2. It is the case of the petitioner that she filed claim petition under Section 10(5-A) A.P. Land Reforms (Ceiling on Agricultural Holding Act, 1973 and Rules 1974), to determine her right over the subject lands. It is further case of the petitioner that, despite the claim petition is pending, the respondents tried to dispossess the petitioner so as to give house site pattas to the eligible beneficiaries. As no notice is issued to the petitioner before taking any action in the matter, she filed the present writ petition.

3. *Per contra*, the 3rd respondent filed counter affidavit stating that the writ petitioner has not filed any application before the concerned authority claiming her alleged right over the lands in dispute. Apart from the same, it is contended by the 3rd respondent that the petitioner has no right, title or interest over the property in dispute, inasmuch the land reforms Tribunal passed orders on

28.04.1994, whereunder determined the holding of the petitioner's family and accordingly the land was surrendered and possession was taken over by the 3rd respondent-Revenue Divisional Officer.

4. The averments made in the counter affidavit are not disputed by the petitioners. Further, on perusal of the endorsement dated 02.07.2016, issued by the Sub-Collector, Rajamahendravaram, it is clear that the request of the petitioner to furnish the record pertaining to L.C.C.No.1335, 1361/RJY/1975 was rejected. Apart from the same, nothing is placed on record to show that the petitioner filed such claim petition, as alleged by her, and therefore the same cannot be believed. In the absence of any proof that she filed claim petition before the Tribunal, the writ petition cannot be entertained.

5. In view of the same, the Writ Petition is dismissed. However, it is always open to the petitioner to take appropriate recourse to law, if so advised. There shall be no order as to costs.

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

//TRUE COPY//

Sd/- K J RAJA BABU
ASSISTANT REGISTRAR
SECTION OFFICER

To,

1. One CC to Sri T. V. S. Prabhakara Rao, Advocate [OPUC]
2. Two CCs to GP for Revenue, High Court of Andhra Pradesh. [OUT]
3. Three C.D. Copies.

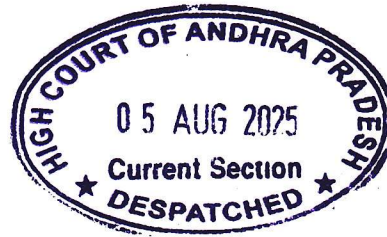
Cnr

HIGH COURT

DATED:10/03/2025

ORDER

WP.No.106 of 2020



**DISMISSING THE W.P.
WITHOUT COSTS**