

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

TUESDAY, THE NINETEENTH DAY OF NOVEMBER

TWO THOUSAND AND TWENTY FOUR

:PRESENT:

THE HONOURABLE SRI JUSTICE GANNAMANENI RAMAKRISHNA PRASAD

WRIT PETITION NO: 26531 OF 2024

Between:

Yalamanchili Sri Chaitanya Dev, Male, aged 54 years, Occ Cultivation,
S/o.Yalamanchili Mahesh Chandra Chowdary (Late), Navya Enclave, Flat
No.204, Ashok Nagar, Eluru, Eluru District.

...Petitioner

AND

1. State of Andhra Pradesh, rep. by its Principal Secretary to Government (Revenue Department), A.P. Secretariat, Velagapudi, Amaravathi. Guntur District.
2. District Collector, Eluru. Eluru District.
3. Joint Collector, Eluru. Eluru District.
4. Revenue Divisional Officer, Collector office compound, Eluru. Eluru District.
5. Tahsildar, Pedapadu (V) and (M), Eluru District.
6. Assistant Director, Survey and Land Records Eluru. Eluru District.
7. Bommi Jogeswara Rao, Male, aged 68 years, Occ Cultivation, S/o. Suryanarayana, R/o. Satyavolu (V), Pedapadu (M) Eluru District.
8. Bommi Prabakar Rao, Male, aged 65 years, Occ Cultivation, S/o, Suryanarayana, R/o. Satyavolu (V), Pedapadu (M) Eluru 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 an appropriate Writ, order or direction more particularly

declaring the inaction of the then Respondent No.5 deducted an extent of Ac.0.42 cents from the petitioner's ancestral property and added to the Respondents No.7th and 8th without issuing any notice to the Petitioner, without giving any opportunity to the petitioner and without hearing the petitioner deducted from petitioner's ancestral property and added to Respondents No.7th and 8th an extent of Ac.0.42 cents in R.S.No.42/2B situated in Satyavolu (V), Pedapadu (M), Eluru District as highly illegal, arbitrary and contrary to law and clear violation of Principles of Natural Justice and clear violation of Articles 14,21 and 300A of the Constitution of India and consequently to direct the Respondents to delete in Revenue Records an extent of Ac.0.42 cents from 7th and 8th Respondents and to Add the same in the Revenue Records of Petitioner

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 direct the Respondents to consider the Petitioner's representation dated: 1/10/2024 and to delete an extent of Ac.0.42 cents from the Revenue Records of 7th and 8th respondents and to add the same in Revenue Record of petitioner herein, Pending disposal of WP 26531 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 B P RAJU, Advocate for the Petitioner, and of GP FOR REVENUE, for the Respondent Nos.1 to 6, the Court made the following

ORDER:

Heard Sri B.P.Raju, learned Counsel for the Petitioner and Ms.Prasanthi Gude, learned Assistant Government Pleader.

2. Learned Counsel for the Petitioner has drawn the attention of this Court to the copy of the IB register (Ex.P3) and Adangal/Pahani dated 21.08.2023 which indicates that an extent of Ac.1.60 cents stood in the name of the grandfather of the Writ Petitioner.

3. Learned Counsel for the Petitioner has also drawn the attention of this Court to the copy of the IB register issued by the Revenue Department on 03.10.2024 which indicates that only an extent of Ac.1.18 cents stood in the name of grandfather of the Writ Petitioner.

4. Learned Counsel for the Petitioner would submit that the Revenue Authorities have reduced the extent owned by the grandfather of the Writ Petitioner from Ac.1.60 cents to Ac.1.18 cents without any notice to the Writ Petitioner in a highhanded, unilateral and arbitrary manner.

5. Having regard to the above facts, the copy of the IB register dated 03.10.2024 is showing the land belonging to the grandfather of the Writ Petitioner as Ac.1.18 cents shall stand suspended until further orders.

6. Learned Counsel for the Petitioner is directed to takeout personal Notice in respect of Respondent Nos.7 & 8 within one week from today and file proof of receipt of Notice within a week thereafter.

7. Let Counter Affidavit be filed within four weeks. Two weeks thereafter for filing Rejoinder, if any.

8. Post on 04.02.2025.

//TRUE COPY//

SD/- N.NAGAMMA
ASSISTANT REGISTRAR
SECTION OFFICER
For ASSISTANT REGISTRAR

To,

1. The Principal Secretary to Government (Revenue Department), State of Andhra Pradesh, A.P. Secretariat, Velagapudi, Amaravathi. Guntur District. **(by Special Messenger)**
2. District Collector, Eluru. Eluru District.
3. Joint Collector, Eluru. Eluru District.
4. Revenue Divisional Officer, Collector office compound, Eluru. Eluru District.
5. Tahsildar, Pedapadu (V) and (M), Eluru District.
6. Assistant Director, Survey and Land Records Eluru. Eluru District.
7. Bommi Jogeswara Rao, Male, aged 68 years, Occ Cultivation, S/o. Suryanarayana, R/o. Satyavolu (V), Pedapadu (M) Eluru District.
8. Bommi Prabakar Rao, Male, aged 65 years, Occ Cultivation, S/o. Suryanarayana, R/o. Satyavolu (V), Pedapadu (M) Eluru District.
(Addressees 2 to 8 by RPAD)
9. One CC to SRI. B P RAJU, Advocate [OPUC]
10. Two CCs to GP FOR REVENUE, High Court of Andhra Pradesh. [OUT]
11. **One spare copy**

PSR

HIGH COURT

GRKP,J

DATED:19/11/2024

NOTE: POST ON 04.02.2024.

ORDER

WP.No.26531 of 2024

INTERIM SUSPENSION

