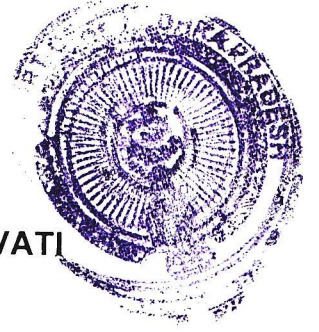




**IN THE HIGH COURT OF ANDHRA PRADESH AT AMARAVATI
(SPECIAL ORIGINAL JURISDICTION)**

THURSDAY, THE NINTH DAY OF OCTOBER,
TWO THOUSAND AND TWENTY FIVE

:PRESENT:

THE HONOURABLE SMT JUSTICE KIRANMAYEE MANDAVA

WRIT PETITION NO: 26560 OF 2025

Between:

1. Puligedda Venkata Sai Prasad, S/o P Veeranna Siddanthi, aged 47,
R/o D.NO.2-140/A, main road, Kajuluru Mandal, Seela, Kakinada
District.
2. Puligedda Lova Narasimha Charyulu, S/o P Veeranna Siddanthi,
aged- 45, R/o D.No.2-67, main road, Kajuluru Mandal Seela,
Kakinada District.

...Petitioners

AND

1. The State of Andhra Pradesh, Rep. by its Principal Secretary,
Department of Women, Children, Disabled And Senior Citizens,
Secretariat Buildings, Velagapudi, Amaravati, Guntur District.
2. The District Collector, Kakinada District.
3. The Revenue Divisional officer cum Sub Divisional Magistrate,
(Tribunal Constituted under the Act) Kakinada.
4. Puligedda Veeranna Siddanthi, S/o late Satyanarayana Chari, aged-
79, R/o D.No.2-140, main road, Kajuluru Mandal Seela, Kakinada
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, order or direction more particularly one in the nature of Certiorari by calling for the records in connection with order passed by 3rd respondent dated 2-9-2025 vide proceedings in Ref H/494/2025 under The Maintenance And Welfare Of Parents And Senior Citizens Act, 2007 as without jurisdiction, arbitrary, illegal and violative of Article 14, 21 and 300-A of the Constitution of India and consequently set aside the order to the extent of directing petitioners to hand over possession of the properties in which they are in possession within 30 days;

IA NO: 1 OF 2025:

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 suspend the order dated 2-9-2025 passed in Ref H/494/2025 by the 3rd respondent, pending disposal of WP.No.26560 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 P.Vivek, Advocate for the Petitioners and GP for Women Dev Child Welfare for the Respondent No.1 and GP for Revenue for the Respondent Nos.2 & 3, the Court made the following;

ORDER:

“Heard the submissions of Sri P. Vivek, learned counsel for the petitioners.

It is contended that the unofficial respondent has executed a gift settlement deed in favour of the petitioners and their mother in 2018. By virtue of the said deed, the unofficial respondent No.4 has

retained life interest in respect of the subject property. The unofficial respondent No.4 is residing on the ground floor portion of the subject property which has separate door number. It is contended that the petitioner has constructed first floor portion investing his personal funds and it has a separate door number. Having regard to the same, the learned counsel for the petitioners contends that the order passed by the respondent No.3 directing to deliver all the properties which are in possession of the petitioners is not sustainable.

Learned counsel for the petitioners further argues that as far as the other property i.e., D.No.2-67 is concerned, the gift settlement deed was executed by the mother of the petitioners and the unofficial respondent No.4 has not executed any document in favour of the petitioners.

Learned counsel thus argues that ordering the petitioners to deliver the possession of the subject properties which are in possession of the petitioners by virtue of gift settlement deed, executed by the mother of the petitioners and by virtue of the construction made by the 1st petitioner is unjust and is unsustainable.

Having regard to the submissions advanced, this Court deems it appropriate to issue notice to the respondents.

Learned counsel for the petitioners is permitted to takeout notice to the 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 06.11.2025.

Till such time, there shall be interim suspension of the impugned proceedings subject to the condition that the petitioners in any manner shall not disturb the possession of the unofficial

respondent No.4 as far as the ground floor portion of the building in D.No.2- 140 is concerned and shall take all necessary steps for providing basic necessities to the unofficial respondent No.4."

K. Srinivas
ASSIST.

//TRUE COPY//

For

SD/- K.SRINIVASA RAJU
ASSISTANT REGISTRAR
SECTION OFFICER

To,

1. The Principal Secretary, State of Andhra Pradesh
Women, Children, Disabled And Senior Citizens, Secretariat
Buildings, Velagapudi, Amaravati, Guntur District. (by **Special Messenger**)
2. The District Collector, Kakinada District.
3. The Revenue Divisional officer cum Sub Divisional Magistrate,
(Tribunal Constituted under the Act) Kakinada.
4. Puligedda Veeranna Siddanthi, S/o late Satyanarayana Chari, R/o
D.No.2-140, main road, Kajuluru Mandal Seela, Kakinada District.
(Addressee Nos.2 to 4 by **RPAD**)
5. One CC to Sri. P.Vivek, Advocate [OPUC]
6. Two CCs to GP for Women Dev Child Welfare, High Court of Andhra Pradesh. [OUT]
7. Two CCs to GP for Revenue, High Court of AP [OUT]
8. One spare copy

MM

HIGH COURT

KM,J

DATED:09/10/2025

POST ON 06.11.2025

ORDER

WP.No.26560 of 2025

INTERIM SUSPENSION

