



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

[3208]

WEDNESDAY, THE TENTH DAY OF DECEMBER
TWO THOUSAND AND TWENTY FIVE

PRESENT

THE HONOURABLE SRI JUSTICE D RAMESH

WRIT PETITION NO: 27549/2025

Between:

1.KAKARAPARTHI VENKATA SUBBARAO, W/O. LATE K. NAGA
SURYA PRAKASARAO AGED ABOUT 45 YEARS, R/O. 2-173,
BHRUGUBANDA, GUNTUR DISTRICT, ANDHRA PRADESH. -
522403

...PETITIONER

AND

- 1.THE STATE OF AP, REP BY ITS PRINCIPAL SECRETARY,
REVENUE DEPARTMENT, SECRETARIAT BUILDINGS,
AMARAVATI, ANDHRA PRADESH.
- 2.THE DISTRICT COLLECTOR, GUNTUR, GUNTUR DISTRICT.
- 3.THE REVENUE DIVISIONAL OFFICER, PONNUR MANDAL,
GUNTUR DISTRICT.
- 4.THE TAHSILDAR, PONNUR MANDAL, GUNTUR DISTRICT

...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 a writ, order or direction, more particularly in the nature of a writ of mandamus, by declaring the inaction of Respondent No. 4 in rejecting the petitioner's application vide Application No. MUT250728071276dated. 28-07-2025for

mutation of his name in the revenue records with respect to the land in Sy. No. 55-6, admeasuring Ac. 1.12 cents in Vellaluru village, ponnur mandal, Guntur District on the ground that the subject lands are converted into non-agriculture purposes, as illegal, arbitrary, and unconstitutional, in violation of the principles of natural justice and Articles 14, 21, and 300-A of the Constitution of India, and against section 5 of The Andhra Pradesh Rights in Land and Pattadar Passbooks Act, 1971, Act no. 15 of 2022. and consequently, direct Respondent No. 4 to mutate the name of the petitioner in respect of the said land in Sy. No. 55-6, admeasuring Ac. 1.12 cents in Vellaluru village, ponnur mandal, Guntur District and to 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 direct The Respondent No 4. To reconsider the petitioner application No. MUT250728071276 dated. 28-07-2025 without referring to its rejection dated. 21.08.2025 pending disposal of the above writ petition and pass

Counsel for the Petitioner:

1. PILLIX LAW FIRM

Counsel for the Respondent(S):

1. GP FOR REVENUE

The Court made the following:

ORDER:

The present Writ Petition is filed, under Article 226 of the Constitution of India, seeking the following relief:

“to issue any writ, order or direction more particularly one in the nature of Writ of Mandamus or an appropriate writ or order declaring the inaction of Respondent No. 4 in rejecting the petitioner's application vide Application No. MUT250728071276 dated 28-07-2025 for mutation of his name in the revenue records with respect to the land in Sy. No. 55-6, admeasuring Ac. 1.12 cents in Vellaluru village, ponnur mandal, Guntur District on the ground that the subject lands are converted into non-agriculture purposes, as illegal, arbitrary, and unconstitutional, in violation of the principles of natural justice and Articles 14, 21, and 300-A of the Constitution of India, and against section 5 of The Andhra Pradesh Rights in Land and Pattadar Passbooks Act, 1971, Act no. 15 of 2022.and consequently, direct Respondent No. 4 to mutate the name of the petitioner in respect of the said land in Sy.No.55-6, admeasuring Ac.1.12 cents in Vellaluru village, ponnur mandal, Guntur District and to pass....”

2. Heard learned counsel for the petitioner and learned Assistant Government Pleader appearing for respondents.

3. Considering the submissions of both sides, this Court has passed the following order on 17.11.2025:

“The writ petition is filed assailing the rejection orders passed by the Tahsildar on 21.08.2025 filed under section 5(1) of the Andhra Pradesh Rights in Land and Pattadar Passbooks Act, 1971.

Learned counsel for the petitioner has contended as per section 5(2) of the Act, Tahsildar has no power to pass any rejection orders and only he has to conduct enquiry and submit a report to the Revenue Divisional Officer.

Learned Assistant Government appearing on behalf of the respondents has brought to the notice of the Court about the amendment made in 2025 vide G.O.Ms.No.15 dated 02.04.2025. According to the said amendment, Tahsildar has power to pass appropriate orders.

Reply to the same, learned counsel for petitioner has further contended that the respondents have not conducted any enquiry

before passing of such order and he has not issued any notice contemplated under the rules.

Considering the said submissions, list after two weeks to get written instructions from the concerned authority.”

4. Consequent to the above, learned Assistant Government Pleader has made his submissions basing on the written instructions furnished by respondent no.4 i.e. the Tahsildar, Ponnur Mandal, Guntur District dated 27.9.2025 that the petitioner has leased out the subject property to one Bodapati Siva Naga Raju and accordingly he is in possession of the land and he made his objections for mutation.

5. But surprising to see that the impugned rejection order is contrary to the above instructions.

6. In view of the same, the impugned rejection order dated 21.8.2025 is set aside remanding the matter to respondent no.4 to consider the application made by the petitioner on 28.7.2025 after issuing notice and pass appropriate reasoned order. The exercise shall complete within one (01) month from the date of receipt of a copy of the order.

7. Accordingly, the Writ Petition is allowed. No costs.

As a sequel thereto, interlocutory applications pending, if any, in the writ petition, shall also stand closed.

JUSTICE D.RAMESH

10.12.2025
RD

THE HONOURABLE SRI JUSTICE D.RAMESH

WRIT PETITION No.27549 of 2025

10.12.2025

RD