



IN THE HIGH COURT OF ANDHRA PRADESH: AT AMARAVATI

**THURSDAY, THE SIXTEENTH DAY OF NOVEMBER
TWO THOUSAND AND TWENTY THREE**

:PRESENT:

THE HONOURABLE SRI JUSTICE RAVI CHEEMALAPATI

IA No. 1 OF 2023

IN

WP NO: 29647 OF 2023

Between:

C.Amarantha Reddy, S/o.Late C.Vemanarayana Reddy, age 55 years, R/o.Gudipalle Village, Beerangi Village, B.Kothakota Mandal, Annamayya District.

...Petitioner

(Petitioner in WP 29647 OF 2023
on the file of High Court)

AND

1. The State of Andhra Pradesh, Rep. by its Principal Secretary, Revenue Department, Secretariat Buildgins, Velagapudi, Amaravati, Guntur District.
2. The Joint Collector, Rayachoti, Annamayya District.
3. The Revenue Divisional Officer, Madanapalli, Annamayya District,
4. The Tahsildar, Peddathippa Samudram, Annamayya District.
5. K.Chinna Reddappa, S/o.M.Kareppa, Aged about 70 years, Peddathippa Samudram, Annamayya District..

...Respondent(s)

(Respondents in-do-)

Counsel for the Petitioner: SRI.M.VENKATA RAMANA REDDY

Counsel for the Respondent Nos.1 TO 4: GP FOR REVENUE

Counsel for the Respondent No.5: SRI.V.DUSHYANTH REDDY, CAVEATOR

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 dt.06.10.2023 of the 2nd respondent made in proceedings D.Dis(P2)/1367/2022 wherein the 2nd respondent confirming the order dt.24.08.2022 of the 3rd respondent vide proceedings D.Dis.B4/6214/2012 in respect of the property situated in Survey No.239/2 an extent of Ac.5.27 cents of sampathikota Village, P.T.M.Mandal, Annamayya District, pending disposal of the Writ Petition No.29647 of 2023, on the file of the High Court.

The court while directing issue of notice to the Respondents herein to show cause as to why this application should not be complied with, made the following order.(The receipt of this order will be deemed to be the receipt of notice in the case).

ORDER:

Heard Sri M.Venkata Ramana Reddy, learned counsel for the petitioner, Sri E.Kumar, learned Assistant Government Pleader for Revenue and Sri V.Dushyanth Reddy, learned counsel for the caveator/5th respondent.

Learned counsel for the petitioner, in elaboration to what has been stated in the affidavit contended that, DKT patta has been granted in favour of the petitioner's father in the year 1970 and after his demise, during partition, an extent of Ac.5.27 cents in S.No. 239/2 of Sampathikota Revenue was devolved upon the petitioner and accordingly pattadar passbook was also issued in favour of the petitioner by revenue authorities. He further submitted that, the unofficial respondent preferred an appeal before the 3rd respondent against the issuance of pattadar passbook in favour of the petitioner and the 3rd respondent, without jurisdiction has entertained the same, inspite of raising objections to the said effect by the petitioner and passed order dated 24.08.2022. Aggrieved by the said order, the petitioner preferred Revision before the 2nd respondent-JointCollector and the 2nd respondent has dismissed the Revision vide order dated 06.10.2023. He further contended that taking advantage of the orders of the 3rd and 2nd respondents, 4th respondent-Tahsildar is contemplating to mutate the name of the unofficial respondent with respect to the subject property. If the same is allowed to happen, the petitioner's rights will be affected and the purpose of filing the Writ petition will be defeated. As such, prayed to pass appropriate orders to protect the interest of the petitioner.

On the other hand, Sri V.Dushyanth Reddy, learned counsel for the Caveator/5th respondent contended that, yesterday itself only, the revenue authorities have mutated the name of 5th respondent in the revenue records. As such, no interim orders can be passed at this stage, however sought time to file counter.

Learned Assistant Government Pleader for Revenue sought time to file a detailed counter.

Perused the record. The documents that are filed by the petitioner in support of his claim show that the petitioner is in possession of the subject property and prima facie the petitioner has made out a point for consideration, in the present Writ Petition.

However, taking the submissions of both the learned counsel into consideration, to strike the balance between the parties, this Court is inclined to pass the following order.

Status Quo shall be maintained with regard to the subject property, pending further orders.

Sd/- N. NAGAMMA
ASSISTANT REGISTRAR

SECTION OFFICER

//TRUE COPY//

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To,

1. The Principal Secretary, Revenue Department, State of Andhra Pradesh, Secretariat Buildgins, Velagapudi, Amaravati, Guntur District.
2. The Joint Collector, Rayachoti, Annamayya District.
3. The Revenue Divisional Officer, Madanapalli, Annamayya District,
4. The Tahsildar, Peddathippa Samudram, Annamayya District.
5. K.Chinna Reddappa, S/o.M.Kareppa, Peddathippa Samudram, Annamayya District. (1 to 5 by RPAD- along with a copy of petition and affidavit)
6. One CC to SRI.M.VENKATA RAMANA REDDY Advocate [OPUC]
7. Two CCs to GP FOR REVENUE, High Court Of Andhra Pradesh. [OUT]
One CC to Sri V.Dushyanth Reddy, Advocate (Caveator) (OPUC)
8. One spare copy

SRL

HIGH COURT

RCJ

DATED:16/11/2023

NOTE: POST ON 05.12.2023

ORDER

I.A.No.1 OF 2023

IN

WP.No.29647 of 2023

STATUS QUO

