

**(SHOW CAUSE NOTICE BEFORE ADMISSION)
IN THE HIGH COURT OF ANDHRA PRADESH AT AMARAVATI
(SPECIAL ORIGINAL JURISDICTION)**

WEDNESDAY ,THE NINTH DAY OF NOVEMBER

TWO THOUSAND AND TWENTY TWO

**:PRESENT:
THE HONOURABLE SRI JUSTICE NINALA JAYASURYA**

WRIT PETITION NO: 36316 OF 2022



Between:

Kesamsetty Eswaramma, W/o.Late K.Ankaiah Aged 75 years, Occ Housewife
R/o.Door No.10-7-314 Nadhamuni Street., Tirupathi Tirupathi District, Andhra Pradesh

Petitioner

AND

1. The State Of Andhra Pradesh, Rep.by its Principal Secretary
Revenue Department, A.P. Secretariat Velagapudi, Amaravati, Palnadu District
2. The District Collector, Tirupathi District, Tirupathi Andhra Pradesh
3. The Revenue Divisional Officer, Gudur, Tirupathi District Andhra Pradesh
4. The Tahsildar, Venkatagiri Mandal Tirupathi District, AP
5. Gadi Amaranatha Reddy, S/o. G. Chandra Reddy Aged not known, Occ Not known R/o.Gotlagunta Village, Venkatagiri Mandal, Tirupathi District Andhra Pradesh

Respondents

WHEREAS the Petitioner above named through his/her Advocate TURAGA SAI SURYA presented this 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 one in the nature of a writ of mandamus declaring the action of the 4th respondent in altering and incorporating the name of the 5th respondent as owner in revenue records in respect of the land to an extent of Ac.3.10 cents in Sy.No.75/ 3 of Gullagunta Village, Venkatagiri Mandal, Tirupati District, Andhra Pradesh without any basis and without following the procedure as contemplated under Sub.Sec(3) of Sec.5 of the A.P.Rights in Land and Pattadar Passbooks Act 1971 read with Rule 19 of the Rules and in rejecting petitioner's request to record her name as owner of the said land without assigning any reasons and in not considering her representations dt.18-07-2022 and 21-09-2022 and making efforts to dispossess her from the said land as highly illegal, arbitrary, exercise of power, violative of principles of natural justice, contrary to law and also violative of Art.19 and 300A of the Constitution of India and

consequently direct the respondents 2 to 4 not to interfere with her possession and enjoyment of the said land duly recording her name as owner of the said land in revenue records .

AND WHEREAS the High Court upon perusing the petition and affidavit filed herein and upon hearing the arguments of Sri TURAGA SAI SURYA Advocate for the Petitioner and of GP FOR REVENUE for Respondent Nos. 1 to 4, directed issue of notice to the Respondent No.5 to show cause as to why this WRIT PETITION should not be admitted.

You viz:

Gadi Amaranatha Reddy, S/o. G. Chandra Reddy , R/o.Gotlagunta Village, Venkatagiri Mandal, Tirupathi District Andhra Pradesh.

are be and hereby directed to show cause either appearing in person or through an Advocate, as to why in the circumstances set out in the petition and the affidavit filed therewith(copy enclosed) this WRIT PETITION should not be admitted within four weeks.

IA NO: 1 OF 2022

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 respondents 2 to 4 not to dispossess the petitioner from the land to an extent of Ac.3.10 cents in sy.No.75 /3 of Gotlagunta village, Venkatagiri Mandal, Tirupathi District, AP, pending disposal of WP No. 36316 of 2022, on the file of the High Court.

The Court made the following: ORDER

"Heard Mr.K.Chidambaram, learned senior counsel appearing for the petitioner.

Learned Assistant Government Pleader for Revenue appearing for respondent Nos.1 to 4 seeks time to secure written instructions.

Issue notice to respondent No.5.

Learned counsel for the petitioner is permitted to take out personal notice on respondent No.5 by registered post with acknowledgement due and file proof of service in the Registry by the next date of adjournment.

Considering the submissions made including the specific averments made in the writ affidavit alleging fraud and violation of the provisions of the A.P. Rights in Land and Pattadar Pass Books Act, 1971 as also non-adherence to the provisions of the Andhra Pradesh Assigned Lands (Prohibition of

Transfers) Act, 1977, and in the light of the recommendation of the 4th respondent dated 15.6.2022, there shall be interim direction as prayed for.

List the matter after four weeks."

Sd/- T. MADHAVI
ASSISTANT REGISTRAR

//TRUE COPY//

RB
For ASSISTANT REGISTRAR

To,

1. The Principal Secretary Revenue Department, A.P. Secretariat Velagapudi, Amaravati, Palnadu District
2. The District Collector, Tirupathi District, Tirupathi Andhra Pradesh
3. The Revenue Divisional Officer, Gudur, Tirupathi District Andhra Pradesh
4. The Tahsildar, Venkatagiri Mandal Tirupathi District, AP
5. Gadi Amaranatha Reddy, S/o. G. Chandra Reddy Aged not known, Occ Not known R/o. Gotlagunta Village, Venkatagiri Mandal, Tirupathi District Andhra Pradesh (Addressess 1 to 5 by RPAD- along with a copy of petition and affidavit)
6. One CC to SRI. TURAGA SAI SURYA Advocate [OPUC]
7. Two CCs to GP FOR REVENUE, High Court Of Andhra Pradesh. [OUT]
8. One spare copy.

psk

HIGH COURT

NJSJ

DATED:09/11/2022

LIST AFTER FOUR WEEKS

NOTICE BEFORE ADMISSION

WP.No.36316 of 2022

INTERIM DIRECTION

