

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



THURSDAY, THE TWENTY FIRST DAY OF DECEMBER
TWO THOUSAND AND TWENTY THREE

:PRESENT:

THE HONOURABLE SRI JUSTICE RAVI CHEEMALAPATI

WRIT PETITION NO: 32102 OF 2023

Between:

PeyyalaRanganayakulu, S/o Pullaiah, Hindu, Aged about 48 years,
R/oD.No.5-7-193, K. Velamavaripalle, Pulivendula, Y.S.R. District

... Petitioner

AND

1. The State of Andhra Pradesh, Rep. by its Principal Secretary, Revenue Department, Secretariat Building, Velagapudi, Amaravati, Guntur District.
2. The District Collector, Y.S.R. District, Kadapa.
3. The Revenue Divisional Officer, Jammalamadugu Revenue Division, Y.S.R. District.
4. The Tahsildar, Muddanuru Mandal, Y.S.R. District.
5. UmmanaboyinaThulasamma, W/o Nagaiah, Hindu, Major, R/o Korripadu Village, Muddanuru Mandal Y.S.R. District.
6. UmmanaboyinaYellaiah, S/o PeddaYellaiah, Hindu, Major, R/o Korripadu Village, Muddanuru Mandal Y.S.R. District.
7. UminaboyinaChinnaYellaiah, S/o PeddaMallaiah, Hindu, Major, R/o Korripadu Village, Muddanuru Mandal Y.S.R. District.
8. UmmanaboyinaShekar, S/o PeddaYellaiah, Hindu, Major, R/o Korripadu Village, Muddanuru Mandal Y.S.R. District.
9. SettupalliRajeswari, W/o Siva Sankar Reddy, Hindu, Major, R/o Korripadu Village, Muddanuru Mandal Y.S.R. District.
10. Vallepu Ganga Raju, S/o PeddaPullanna, Hindu, Major, R/o Korripadu Village, Muddanuru Mandal Y.S.R. District.
11. VallepuSivamma, W/o Subbarayudu, Hindu, Major, R/o Korripadu Village, Muddanuru Mandal Y.S.R. District.
12. VallepuSubbarayudu, S/o Somanna, Hindu, Major, R/o Korripadu Village, Muddanuru Mandal Y.S.R. 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 a Writ Order or direction more particularly one in the nature of WRIT OF MANDAMUS declaring the action of the 4th Respondent in mutation of names of the Respondents 5 to 12 in respect of the Petitioners absolute property for an extent of Ac.21-13 cents, out of which, Ac.8-47 cents is situated in Survey No. 163, Ac.6-86 cents is situated in Survey No. 165, Ac.4-32 cents is situated in Survey No. 169, Ac.0-42 cents is situated in Survey No.862 and Ac. 1-06 cents is situated in Survey No.863 of Korripadu Village, Muddanuru Mandal, Y.S.R. District, is illegal, arbitrary,

unjust, irregular as it is without issuing notice, following the law contemplated under Section 5 (3) r/w Rules 5 & 9 of A.P. Rights in land and Pattadhar Pass Book, 1971 rules made there under, violation of principles of natural justice, fundamental rights guaranteed under Article 19, 20, 21 and property right guaranteed under Article 300-A of Constitution of India and consequently set aside the Order of the 4th Respondent for mutation of names of the Respondents 5 to 12 in respect of the Petitioners property for an extent of Ac.21-13 cents, out of which, Ac.8-47 cents is situated in Survey No. 163, Ac.6-86 cents is situated in Survey No. 165, Ac.4-32 cents is situated in Survey No. 169, Ac.0-42 cents is situated in Survey No.862 and Ac. 1-06 cents is situated in Survey No.863 of Korripadu Village, Muddanuru Mandal, Y.S.R. District by restoring my name in respect of the above said property;

IA NO: 1 OF 2023

Petition under Section 151 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 not to interfere with Petitioner's peaceful possession and enjoyment of his property for an extent of Ac.21-13 cents, out of which, Ac.8-47 cents is situated in Survey No. 163, Ac.6-86 cents is situated in Survey No. 165, Ac.4-32 cents is situated in Survey No. 169, Ac.0-42 cents is situated in Survey No.862 and Ac. 1-06 cents is situated in Survey No.863 of Korripadu Village, Muddanuru Mandal, Y.S.R. District without following due process of law till disposal of the main writ petition, pending disposal of WP No. 32102 of 2023, on the file of the High Court.

Petition coming on for hearing, upon perusing the Petition and the affidavit filed in support thereof and the earlier order of the High Court dt 14.12.2023 made herein and upon hearing the arguments of Sri N.V.Mohana Rao, Advocate for the Petitioner, learned GP FOR REVENUE for respondent Nos.1 to 4 and the Court made the following;

ORDER:

"Learned Assistant Government Pleader for Revenue sought two (02) weeks time for filing counter.

Post on 05.01.2024 for filing counter.

Interim order earlier granted is extended for a further period of four (04) weeks."

//TRUE COPY//

**Sd/- K. KASIRAO ACHARI
ASSISTANT REGISTRAR**

SECTION OFFICER

To,

1. One CC to SRI. N V MOHANA RAO Advocate [OPUC]
2. Two CCs to GP FOR REVENUE, High Court of Andhra Pradesh. [OUT]
3. One spare copy

KSR

HIGH COURT

RCJ

DATED:21/12/2023

Post on 05.01.2024 for filing counter

WP.No.32102 of 2023

INTERIM ORDER EXTENDED

