

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

**THURSDAY, THE TWENTY EIGHTH DAY OF DECEMBER
TWO THOUSAND AND TWENTY THREE**

:PRESENT:

THE HONOURABLE SRI JUSTICE RAVI CHEEMALAPATI

IA Nos. 2,3,4 OF 2023

IN

WP NO: 33284 OF 2023



Between:

1. Kotta Yasomitra, S/o K.Satchidananda Murthy Aged about 74 years, Occ Agriculture, R/o D.No.4-5-29/101, Plot No. 101, 4/2 Vidyanagai, Amrutha Residency, Chandramouli Nagai, Guntur, Guntur District.
2. Kotta Krishna, S/o K.Satchidananda Murthy Aged about 72 years, Occ Retired Employee, R/o Flat No.304, D Block, VRR Vaibhavam, Opposite Balaji Cine Villa, Poranki, Vijayawada, NTR District - 521 137.

Petitioners

AND

1. The State of Andhra Pradesh, Represented by the Principal Secretary, Revenue Department, Secretariat, Velagapudi, Amaravati.
2. The State of Andhra Pradesh, Represented by its Principal Secretary, Endowments Department, Secretariat, Velagapudi, Amaravati.
3. The Deputy Commissioner, Endowments, O/o the Endowments Department, Naaz Center, Opp Gunta Ground, Kottapeta, Guntur District - 522 001.
4. The Assistant Commissioner Endowments, Naaz Center, Opp Gunta Ground, Kottapeta, Guntur District - 522 001.
5. The Executive Officer, Sri Sangameswara Swamy Temple, Sangam Jagariamudi, Tenali Mandal, Guntur District - 522 213.
6. Sri Sangameswara Swamy Temple, Sangam Jagarlamudi, Tenali Mandal, Guntur - District - 522 213.
7. The District Collector (Guntur District), Collectorate, Guntur District.
8. The Sub-Collector, Sub-Collectors Office, Tenali, Guntur District.
9. The District Revenue Officer, Collectorate, Guntur District.
10. The Tahsildar, Tenali West, Tenali, Guntur - District.

Respondents

Counsel for the Petitioner : Sri M R K CHAKRAVARTHY

Counsel for the Respondent Nos. 1, 7 to 10 :GP FOR REVENUE

Counsel for the Respondent Nos. 2 to 5 :GP FOR REVENUE

Counsel for the Respondent No.6: Smt. P PADMAVATHI

IA NO: 2 OF 2023

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 suspend the entries made in the Record of Rights (RoR) in the name of the Respondent Sri Sangameswara Swamy Temple in respect of the Petitioners land ad-

measuring Ac.0-91 Cents and Ac.0-82 Cents situated in RS Nos. 197/3 and 197/4 of Angalakudmn Village, Tenali Mandal, Guntur District, pending disposal of WP No. 33284 of 2023, on the file of the High Court.

IA NO: 3 OF 2023

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 suspend the entries made in the Register Maintained under Section 43 of the A.P.Charitable and Hindu Religious Institutions and Endowments Act, 1987 with respect to the Petitioners land ad-measuring Ac.0-91 Cents and Ac.0-82 Cents situated in RS No. 197/3 and 197/4 of Angalalcudui Village, Tenali Mandal, Guntur District, pending disposal of WP No. 33284 of 2023, on the file of the High Court.

IA NO: 4 OF 2023

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 suspend the entries made in the Register Maintained under Section 22A of the Registration Act, 1908 with respect to the Petitioners land ad-measuring Ac.0-91 Cents and Ac.0-82 Cents situated in RS No. 197/3 and 197/4 of Angalakuduru Village, Tenali Mandal, Guntur District, pending disposal of WP No. 33284 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).

The Court made the following: ORDER
"Heard.

Sri M.R.K.Chakravarthy, learned counsel for the petitioner in elaboration contended that without any notice to the petitioners the revenue authorities incorporated the temple name in the revenue records contrary to the provisions envisaged under the Andhra Pradesh Right to Land and Pattadhar Passbook Act, 1971. If such mutation is allowed to continue, it affects the rights of the petitioners, as such, prayed to pass appropriate orders protecting the interests of the petitioners.

Learned counsel further submitted that the petitioners grandfathers name found place in revenue records and having knowledge about the same, without issuing any notice as contemplated under the provisions of Sections 4 & 5 of the Andhra Pradesh Right to Land and Pattadhar Passbook Act, 1971, the authorities cannot alter the names, as such prayed to pass appropriate orders protecting the interests of the petitioners.

Prima facie, a point has been made out for consideration. A detailed counter is required to be invited. As such, this Court is inclined to pass the following interim order:-

"The revenue authorities are directed to put the subject property in the dispute register, pending further orders."

//TRUE COPY//

Fol

Sd/- M. SRINIVAS
ASSISTANT REGISTRAR
SECTION OFFICER

To,

1. The Principal Secretary, The State of Andhra Pradesh, Revenue Department, Secretariat, Velagapudi, Amaravati.
2. The Principal Secretary, The State of Andhra Pradesh, Endowments Department, Secretariat, Velagapudi, Amaravati.
3. The Deputy Commissioner, Endowments, O/o the Endowments Department, Naaz Center, Opp Gunta Ground, Kottapeta, Guntur District - 522 001.
4. The Assistant Commissioner Endowments, Naaz Center, Opp Gunta Ground, Kottapeta, Guntur District - 522 001.
5. The Executive Officer, Sri Sangameswara Swamy Temple, Sangam Jagariamudi, Tenali Mandal, Guntur District - 522 213.
6. Sri Sangameswara Swamy Temple, Sangam Jagarlamudi, Tenali Mandal, Guntur District - 522 213.
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8. The Sub-Collector, Sub-Collectors Office, Tenali, Guntur District.
9. The District Revenue Officer, Collectorate, Guntur District.
10. The Tahsildar, Tenali West, Tenali, Guntur District. (Addressess 1 to 10 by RPAD-)
11. One CC to Sri. M R K CHAKRAVARTHY Advocate [OPUC]
12. Two CCs to GP FOR REVENUE, High Court Of Andhra Pradesh. [OUT]
13. Two CCs to GP FOR ENDOWMENTS, High Court Of Andhra Pradesh. [OUT]
14. One CC to Smt. P PADMAVATHI, Standing Counsel [OPUC]
15. One spare copy.

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HIGH COURT

RCJ

DATED:28/12/2023

POST ON 03.01.2024

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IN
WP NO: 33284 OF 2023

DIRECTION

