

(SHOW CAUSE NOTICE BEFORE ADMISSION)

IN THE HIGH COURT OF ANDHRA PRADESH: AT AMARAVATI

(Special Original Jurisdiction)

FRIDAY, THE TWENTY NINTH DAY OF DECEMBER
TWO THOUSAND AND TWENTY THREE



:PRESENT:

THE HONOURABLE SRI JUSTICE RAVI CHEEMALAPATI

WRIT PETITION NO: 33475 OF 2023

Between:

1. Boni VN Chandrasekhar, S/o. Demudu, Aged- 34 years, R/o. H.No.6-42, S.C.Colony, K.Kotapadu Mandal, Chowduvada, Visakhapatnam (Anakapalli) District.
2. Boni Bhulokeswara Rao, S/o. Demudu, Aged-34 years, R/o. H.No.6-42, S.C.Colony, K.Kotapadu Mandal, Chowduvada, Visakhapatnam (Anakapalli) District

Petitioners

AND

1. The State of Andhra Pradesh, Rep by its Principal Secretary, Revenue Department, Secretariat, Velagapudi, Guntur District.
2. The District Collector, Visakhapatnam (Anakapalli), District at Visakhapatnam, (Anakapalli).
3. The Joint Collector, Visakhapatnam District.
4. The Revenue Divisional Officer, Anakapalli, Visakhapatnam (Anakapalli) District.
5. The Tahsildar, Anakapalli Mandal, Visakhapatnam (Anakapalli) District.
6. The District Registrar, Anakapalli, Anakapalli District
7. The Sub Registrar, Sabbavaram, Anakapalli District.
8. Malipireddy Appa Rao, S/o Mahalakshmi, Aged- Major, R/o. D.No.3-56, Near Shivalayam Temple, Chintanippula Agraharam- 531001, Anakapalli Mandal, Visakhapatnam (Anakapalli) Dist.
9. Malipireddy Shiva Santosh, S/o Appa Rao, Aged- Major, R/o D.No.3-56, Near Shivalayam Temple, Chintanippula, Agraharam-531001, Anakapalli Mandal, Visakhapatnam (Anakapalli) Dist
10. Malipireddy VaraLakshmi, W/o Shiva Santosh, Aged- Major, R/o D.No.3-56, Near Shivalayam Temple, Chintanippula, Agraharam-531001, Anakapalli Mandal, Visakhapatnam Anakapalli) Dist.
11. Malipireddy Durga, D/o Appa Rao, Aged- Major, R/o D.No.3-56, Near Shivalayam Temple, Chintanippula Agraharam-531001, Anakapalli Mandal, Visakhapatnam (Anakapalli) Dist.
12. Golajana Veeraswamy, S/o Suri, Aged- Major, R/o Chintanippula Agraharam-531001, AnakapalliMandal, Visakhapatnam (Anakapalli) Dist.

13. Golajana Lakshmi, D/o Late Ramu, Aged- Major, R/o Chintanippula Agraharam-531001, Anakapalli Mandal, Visakhapatnam (Anakapalli) Dist.,
14. Sidda Appala Narasamma, W/o Venkanna, Aged- Major, R/o Chintanippula Agraharam-531001, Anakapalli Mandal, Visakhapatnam (Anakapalli) Dist.
15. Sidda Eswara Rao, S/o Venkanna, Aged-Major, R/o Chintanippula Agraharam-531001, Anakapalli Mandal, Visakhapatnam (Anakapalli) Dist.
16. Sidda Venkata Appa Rao, S/o Venkanna, Aged. Major, R/o Chintanippula Agraharam-531001, Anakapalli Mandal, Visakhapatnam (Anakapalli) Dist.
17. Sidda Adi Babu, S/o Venkanna, Aged. Major, R/o Chintanippula Agraharam-531001, Anakapalli Mandal, Visakhapatnam (Anakapalli) Dist.
18. Saragadam Venkata Suri Appa Rao, s/o Suri Babu, Age. Major, R/o Chintanippula Agraharam-531001, Anakapalli Mandal, Visakhapatnam (Anakapalli) Dist.
19. Korukonda Arjuna Nageswara Rao, S/o Durgalu, Aged. Major, R/o Chintanippula Agraharam-531001, Anakapalli Mandal, Visakhapatnam (Anakapalli) Dist.
20. Korukonda Atchiyamma, W/o Arjuna Nageswara Rao, Aged. Major, R/o Chintanippula Agraharam-531001, Anakapalli Mandal, Visakhapatnam (Anakapalli) Dist.
21. Ayita Venkata Lakshmi, D/o Ram Murthy, Aged. Major, R/o Chintanippula Agraharam-531001, Anakapalli Mandal, Visakhapatnam (Anakapalli) Dist.
22. Gorla Konda Babu S/o. Ramu Naidu, Aged. Major, R/o. Chintanippula Agraharam-531001, Anakapalli Mandal, Visakhapatnam (Anakapalli) Dist.
23. Kollimalla Naga Appala Raju S/o. Satyanarayana, Aged. Major, R/o. Chintanippula Agraharam-531001, Anakapalli Mandal, Visakhapatnam (Anakapalli) Dist.
24. Korukonda Ganga Raju, S/o. Mahalakshmi Naidu, Aged. Major, R/o. Chintanippula Agraharam-531001, Anakapalli Mandal, Visakhapatnam (Anakapalli) Dist.
25. Chinni Manoj Kumar, S/o. Ganga Raju, Aged. Major, R/o. Chintanippula Agraharam-531001, Anakapalli Mandal, Visakhapatnam (Anakapalli) Dist.
26. Amarapinni Kalyani, W/o. Venkata Ramesh, Aged. Major, R/o. Chintanippula Agraharam-531001, Anakapalli Mandal, Visakhapatnam (Anakapalli) Dist.
27. CRPL VSP Cold Chain Private Limited, Represented by Naresh Agarwal, S/o. Murali Agarwal, #121, Ground Floor, Chittaranjan Avenue, Kolkata-700073, West Bengal.

Respondents

WHEREAS the Petitioners above named through their Advocate SRI.T.NAGARJUNA REDDY 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 an appropriate writ, order or direction more particularly one in the nature of Mandamus declaring the action of the respondents particularly the 5th Respondent in mutating the names of the unofficial respondents in Revenue Records in respect of property in an extent of Ac 1.79 cents in Sy.No.38/1 and an extent of Ac.6.43 cents in Sy.Nos.38/2 (38-1, 38-1A, 38-1B,

38-2-A 1, 38-2-A-2-A, 38-2-A-2-B, 38-2-B-1, 38-2-B-2, 38-2-C-1 & 38-2-C-2 (after subdivision) of Chinta Nippula Agraharam, Anakapalli Mandal, Visakhapatnam (Anakapalli) District without putting the petitioners on notice as arbitrary, illegal, unconstitutional and against the spirit of AP Rights in land and pattadar pass books Act, 1971, rules framed therein and violative of ratio laid down in Chinnam Pandurangam Vs. Mandal Revenue Officer, 2007 (6) ALD 248 and also violative of Articles 14, 21 and 300 (a) of the constitution of India and consequently direct the Respondents herein to direct the affected parties to approach competent civil court.

AND WHEREAS the High Court upon perusing the petition and affidavit filed herein and upon hearing the arguments of Sri.T.Nagarjuna Reddy Advocate for the Petitioners, Government Pleader for Revenue for Respondent Nos.1 to 5 and Government Pleader for Stamps & Registration for Respondent Nos.6 & 7, directed issue of notice to the Respondents herein to show cause as to why this WRIT PETITION should not be admitted.

You viz:

1. The Principal Secretary, Revenue Department, State of Andhra Pradesh, Secretariat, Velagapudi, Guntur District.
2. The District Collector, Visakhapatnam (Anakapalli), District at Visakhapatnam, (Anakapalli).
3. The Joint Collector, Visakhapatnam District.
4. The Revenue Divisional Officer, Anakapalli, Visakhapatnam (Anakapalli) District.
5. The Tahsildar, Anakapalli Mandal, Visakhapatnam (Anakapalli) District.
6. The District Registrar, Anakapalli, Anakapalli District
7. The Sub Registrar, Sabbavaram, Anakapalli District.
8. Malipireddy Appa Rao, S/o Mahalakshmi, R/o. D.No.3-56, Near Shivalayam Temple, Chintanippula Agraharam- 531001, Anakapalli Mandal, Visakhapatnam (Anakapalli) Dist.
9. Malipireddy Shiva Santosh, S/o Appa Rao, R/o D.No.3-56, Near Shivalayam Temple, Chintanippula, Agraharam-531001, Anakapalli Mandal, Visakhapatnam (Anakapalli) Dist
10. Malipireddy VaraLakshmi, W/o Shiva Santosh, R/o D.No.3-56, Near Shivalayam Temple, Chintanippula, Agraharam-531001, Anakapalli Mandal, Visakhapatnam Anakapalli) Dist.
11. Malipireddy Durga, D/o Appa Rao, R/o D.No.3-56, Near Shivalayam Temple, Chintanippula Agraharam-531001, Anakapalli Mandal, Visakhapatnam (Anakapalli) Dist.
12. Golajana Veeraswamy, S/o Suri, R/o Chintanippula Agraharam-531001, AnakapalliMandal, Visakhapatnam (Anakapalli) Dist.
13. Golajana Lakshmi, D/o Late Ramu, R/o Chintanippula Agraharam-531001, Anakapalli Mandal, Visakhapatnam (Anakapalli) Dist.,
14. Sidda Appala Narasamma, W/o Venkanna, R/o Chintanippula Agraharam-531001, Anakapalli Mandal, Visakhapatnam (Anakapalli) Dist.
15. Sidda Eswara Rao, S/o Venkanna, R/o Chintanippula Agraharam-531001, Anakapalli Mandal, Visakhapatnam (Anakapalli) Dist.
16. Sidda Venkata Appa Rao, S/o Venkanna, R/o Chintanippula Agraharam-531001, AnakapalliMandal, Visakhapatnam (Anakapalli) Dist.

17. Sidda Adi Babu, S/o Venkanna, R/o.Chintanippula Agraharam-531001, Anakapalli Mandal, Visakhapatnam (Anakapalli) Dist.
18. Saragadam Venkata Suri Appa Rao, s/o Suri Babu, R/o Chintanippula Agraharam-531001, Anakapalli Mandal, Visakhapatnam (Anakapalli) Dist.
19. Korukonda Arjuna Nageswara Rao, S/o Durgalu, R/o Chintanippula Agraharam-531001, Anakapalli Mandal, Visakhapatnam (Anakapalli) Dist.
20. Korukonda Atchiyamma, W/o Arjuna Nageswara Rao, R/o Chintanippula Agraharam-531001, Anakapalli Mandal, Visakhapatnam (Anakapalli) Dist.
21. Ayita Venkata Lakshmi, D/o Ram Murthy, R/o Chintanippula Agraharam-531001, Anakapalli Mandal, Visakhapatnam (Anakapalli) Dist.
22. Gorla Konda Babu S/o.Ramu Naidu, R/o.Chintanippula Agraharam-531001, Anakapalli Mandal, Visakhapatnam (Anakapalli) Dist.
23. Kollimalla Naga Appala Raju S/o.Satyanarayana, R/o.Chintanippula Agraharam-531001, Anakapalli Mandal, Visakhapatnam (Anakapalli) Dist.
24. Korukonda Ganga Raju, S/o.Mahalakshmi Naidu, R/o.Chintanippula Agraharam-531001, Anakapalli Mandal, Visakhapatnam (Anakapalli) Dist.
25. Chinni Manoj Kumar, S/o.Ganga Raju, R/o.Chintanippula Agraharam-531001, Anakapalli Mandal, Visakhapatnam (Anakapalli) Dist.
26. Amarapinni Kalyani, W/o.Venkata Ramesh, R/o.Chintanippula Agraharam-531001, Anakapalli Mandal, Visakhapatnam (Anakapalli) Dist.
27. Naresh Agarwal, S/o.Murali Agarwal, CRPL VSP Cold Chain Private Limited, #121, Ground Floor, Chittaranjan Avenue, Kolkata-700073, West Bengal.

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 on or before 04.01.2024 on which date the case stands posted for hearing.

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 writ petition, the High Court may be pleased to direct the Respondents 1 to 5 herein not to make effect of online entries (dispute register) in respect of the land measuring an extent of Ac 1.79 cents in Sy.No.38/1 and an extent of Ac.6.43 cents in Sy.No.38/2 (38-1, 38-1A, 38-1B, 38-2-A1, 38-2-A-2-A, 38-2-A-2-B, 38-2-B-1, 38-2-B-2, 38-2-C-1 & 38-2-C-2 (after subdivision) of Chinta Nippula Agraharam, Anakapalli Mandal, Visakhapatnam (Anakapalli) District, pending disposal of Writ Petition No. 33475 of 2023, on the file of the High Court.

IA NO: 2 OF 2023

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 direct the Respondents 6 and 7 herein not to entertain any sale deeds in respect of the land measuring an extent of Ac 1.79 cents in Sy.No.38/1 and an extent of Ac.6.43 cents in Sy.No.38/2 (38-1, 38-1A, 38-1B, 38-2-A 1, 38-2-A-2-A, 38-2-A-2-B, 38-2-B-1, 38-2-B-2, 38-2-C-1 & 38-2-C-2(after subdivision) of Chinta Nippula Agraharam, Anakapalli Mandal, Visakhapatnam (Anakapalli) District, pending disposal of Writ Petition No. 33475 of 2023, on the file of the High Court.

THE COURT MADE THE FOLLOWING ORDER:

Notice before admission.

Learned Government Pleader for Revenue, takes notice for R1 to R5.

Learned Government Pleader for Stamps and Registration takes notice for R6 and R7.

For instructions, post on 04.01.2024, in the 'Motion List'.

Till then, status-quo shall be maintained by both parties.

SD/-N.NAGAMMA
ASSISTANT REGISTRAR

//TRUE COPY//

For ASSISTANT REGISTRAR

To,

1. The Principal Secretary, Revenue Department, State of Andhra Pradesh, Secretariat, Velagapudi, Guntur District.
2. The District Collector, Visakhapatnam (Anakapalli), District at Visakhapatnam, (Anakapalli).
3. The Joint Collector, Visakhapatnam District.
4. The Revenue Divisional Officer, Anakapalli, Visakhapatnam (Anakapalli) District.
5. The Tahsildar, Anakapalli Mandal, Visakhapatnam (Anakapalli) District.
6. The District Registrar, Anakapalli, Anakapalli District
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18. Saragadam Venkata Suri Appa Rao, S/o Suri Babu, R/o Chintanippula Agraharam-531001, Anakapalli Mandal, Visakhapatnam (Anakapalli) Dist.
19. Korukonda Arjuna Nageswara Rao, S/o Durgalu, R/o Chintanippula Agraharam-531001, Anakapalli Mandal, Visakhapatnam (Anakapalli) Dist.
20. Korukonda Atchiyamma, W/o Arjuna Nageswara Rao, R/o Chintanippula Agraharam-531001, Anakapalli Mandal, Visakhapatnam (Anakapalli) Dist.
21. Ayita Venkata Lakshmi, D/o Ram Murthy, R/o Chintanippula Agraharam-531001, Anakapalli Mandal, Visakhapatnam (Anakapalli) Dist.
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26. Amarapinni Kalyani, W/o. Venkata Ramesh, R/o. Chintanippula Agraharam-531001, Anakapalli Mandal, Visakhapatnam (Anakapalli) Dist.
27. Naresh Agarwal, S/o. Murali Agarwal, CRPL VSP Cold Chain Private Limited, #121, Ground Floor, Chittaranjan Avenue, Kolkata-700073, West Bengal. (1 to 27 by RPAD- along with a copy of petition and petition and affidavit)
28. One CC to SRI.T.NAGARJUNA REDDY Advocate [OPUC]
29. Two CCs to GP FOR REVENUE, High Court of Andhra Pradesh. [OUT]
30. Two CCs to GP FOR STAMPSE & REGISTRATION, High Court of Andhra Pradesh. [OUT]
31. One spare copy

SRL

HIGH COURT

RCJ

DATED:29/12/2023

NOTE: POST ON 04.01.2024

NOTICE BEFORE ADMISSION

WP.No.33475 of 2023

STATUS QUO

