

IN THE HIGH COURT OF ANDHRA PRADESH AT AMARAVATHI
THURSDAY, THE TWENTY EIGHTH DAY OF DECEMBER,
TWO THOUSAND AND TWENTY THREE

:PRESENT:

THE HONOURABLE SRI JUSTICE RAVI CHEEMALAPATI

IA No. 3 OF 2023

IN

WP NO: 33319 OF 2023



Between:

S.Chandra Kala Bai, W/o Late S.Dhese Nedk, Aged about 60 years, R/o 6-45,
Pedaballi Thanda, FTittaparathi Mandal, Sri Sathya Sai District.

...Petitioner

AND

1. The State of Andhra Pradesh, Represented by its Principal Secretary, Department of Revenue, A.P. Secretariat Buildings, Amaravathi.
 2. The District Collector, Sri Sathya Sai District, Collectorate Buildings, Puttaparthi, Ananthapuramu District.
 3. The Revenue Divisional Officer, Puttaparthi, Sri Sathya Sai District.
 4. The Tahsildar (F.A.C), Puttaparthi, Sri Sathya Sai District, Puttaparthi.
 5. The Station House Officer, Puttaparthi Rural Police Station, Puttaparthi, Sri Sathya Sai District.
 6. J.Lakshmi Bai, W/o Ravi Naik, Aged about 40 years, R/o. Pedaballi Thanda, Puttaparthi Mandal, Sri Sathya Sai District.
 7. J.Sali Bai, W/o J.Dese Naik, Aged about 55 years, R/o Pedaballi Thanda, Puttaparthi Mandal, Sri Sathya Sai District.
 8. J.Madan Mohan Naik, S/o. J.Hanume Naik, Aged about 60 years, R/o.Pedaballi Thanda, Puttaparthi Mandal, Sri Sathya Sai District.
 9. G.Lakshmiddevamma, W/o Venkata Ramudu, Aged about 60 years, R/o.Pedaballi Thanda, Puttaparthi Mandal, Sri Sathya Sai District.
 10. G.Eswaramma, W/o Prakash, Aged about 40 years, R/o. Pedaballi Thanda, Puttaparthi Mandal, Sri Sathya Sai District.
 11. Chapal Naik, S/o. Unknown, Pedaballi Thanda, Puttaparthi Mandal, Sri Sathya Sai District.
 12. Dakane Naik, S/o Unknown, R/o Pedaballi Thanda, Puttaparthi Mandal, Sri Sathya Sai District
 13. Thippa Naik, S/o Unknown, R/o Pedaballi Thanda, Puttaparthi Mandal, Sri Sathya Sai District
 14. S.Lakshmiddevi, W/o Unknown, R/o Pedaballi Thanda, Puttaparthi Mandal, Sri Sathya Sai District
- (Respondents No. 11 to 14 died and are not necessary parties)

...Respondents

Counsel for the Petitioner

: Ms Avanija Inuganti

Counsel for the Respondent Nos. 1 to 4

: GP for Revenue

Counsel for the Respondent No.5

: GP for Home

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 to desist the Respondents from dispossessing the Petitioner from the property

admeasuring Ac. 1.55 cts in Sy.No. 183-6 situated at Pedapalli Village, Puttaparthi Mandal, Ananthapuramu District, Pending disposal of WP No. 33319 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 (The receipt of this order will be deemed to be the receipt of notice in the case)

ORDER:

"Heard.

Sri A.S.K.S.Bhargav, learned counsel for the petitioner in elaboration contended that the petitioner's husband is the original assignee and upon his death the petitioner came into possession wherein D-form patta was granted in her favour. Upon the representation made by the unofficial respondents, the revenue authorities have passed resumption orders without providing an opportunity of personal hearing to the petitioner. The ground on which the resumption order is passed is that the unofficial respondents are in possession of the property. For arguments sake without admitting as per the procedure, in case the unofficial respondents are found in possession of the property, the authorities have to resume the land and restore it back to the petitioner. However, the petitioner is in actual possession of the property and there is no violation of conditions of the D-form patta. He further contended that if the authorities have provided an opportunity of personal hearing, the petitioner would have explained the facts of the case in right perspective. If such resumption orders are allowed to continue, the authority may dispossess the petitioner from the said property, as such, prayed to pass appropriate orders protecting the rights of the petitioner.

Perused the record.

Prima facie, a point has been made out for consideration wherein a detailed counter is required to be invited from the official and unofficial respondents. To meet the ends of justice, this Court is inclined to pass the following order:-

"An order of status-quo shall be maintained as on today, pending further orders." "

//TRUE COPY//

For /

Sd/- SK. MD. RAFI
ASSISTANT REGISTRAR

SECTION OFFICER

To,

1. The Principal Secretary, State of Andhra Pradesh, Department of Revenue, A.P. Secretariat Buildings, Amaravathi.
2. The District Collector, Sri Sathya Sai District, Collectorate Buildings, Puttaparthi, Ananthapuramu District.
3. The Revenue Divisional Officer, Puttaparthi, Sri Sathya Sai District.
4. The Tahsildar (F.A.C), Puttaparthi, Sri Sathya Sai District, Puttaparthi.
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10. G.Eswaramma, W/o Prakash, Aged about 40 years, R/o. Pedaballi Thanda, Puttaparthi Mandal, Sri Sathya Sai District. (Addressee nos.1 to 10 by RPAD)
11. One CC to Ms Avanija Inuganti, Advocate [OPUC]
12. One CC to Sri A.S.K.S.Bhargav, Advocate [OPUC]
13. Two CCs to GP for Revenue, High Court of Andhra Pradesh. [OUT]
14. Two CCs to GP for Home, High Court of Andhra Pradesh. [OUT]
15. Two CCs to GP for Assignments, High Court of Andhra Pradesh. [OUT]
16. **One spare copy**

CVSS

HIGH COURT

RC,J

DATED:28/12/2023

POST ON 24.01.2024.

ORDER

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IN

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STATUS-QUO

