

[3332]

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

THURSDAY, THE FIRST DAY OF AUGUST
TWO THOUSAND AND TWENTY FOUR

:PRESENT:

THE HONOURABLE SRI JUSTICE RAVI CHEEMALAPATI
WRIT PETITION NO: 41285 OF 2022



Between:

1. Kama Karuna, D/o. K.Jeevarathnam, Aged about 50 years, R/o Vidya Nagar, Eluru, West Godavari District, Andhra Pradesh.
2. Vanamala Kiran Kumari, W/o Kaju Vemanna, Aged about 48 years, Occ. Housewife, R/o Vattigudipadu Village, Nizuveedu Mandal, Krishna District, Andhra Pradesh.
3. Kama Ravindra Kumar, S/o K.Jeeva Ratnam, Aged about 47 years, Occ. Private Service, R/o Vidya Nagar, Eluru, West Godavari District, Andhra Pradesh.

... Petitioners

AND

1. The State of Andhra Pradesh, Represented by its Principal Secretary, Revenue-Registration and Stamps Department, Secretariat, Velagapudi, Amaravati, Guntur District.
2. The District Registrar, Registration and Stamps Department, Registrar's Office, N.R. Peta, Registrar's Office, N.R.Peta, Eluru, Eluru District, (Erstwhile w.g. district), AP
3. The Sub-Registrar, Registration and Stamps Department, Vatluru Village, Pedapadu Mandal, Eluru District, (Erstwhile w.g.district), A.P.
4. Talari Marthamma, W/o T. China Joji, Aged about 66 years, Occ. Housewife, R/o D.No.2-80, Vatluru Village, Pedapadu Mandal, West Godavari District, A.P.

5. Polimetla Yesu, (Died)
6. Polimetla Issac, S/o P. Lazaru, Aged about 68 years, Occ. Agriculture, R/o 2-80, Vatluru Village, Pedapadu Mandal, West Godavari District, A.P.
7. Polimetla Anthonamma, W/o Late P. Peda Lazaru, Aged about 51 years, Occ. Housewife, R/o Near RCM Church, Vatluru Village, Pedapadu Mandal, West Godavari District, A.P.
8. Polimetla Sobha, D/o Late Peda Lazaru, Christian, Aged about 38 years, Occ. Housewife, R/o Near RCM Church, Vatluru Village, Pedapadu Mandal, West Godavari District, A.P.
9. Bethapudi Vanitha, , W/o B.Ratnam, Aged about 37 years, Occ. House wife, R/o Near RCM Church, Vatluru Village, Pedapadu Mandal, West Godavari District, A.P.
10. Polimetla Asservadam, S/o Late P.Peda Lazaru, Aged about 34 years, Occ. Auto Driver, R/o Near RCM Church, Vatluru Village, Pedapadu Mandal, West Godavari District, A.P.
11. Devarakonda Nagamani, W/o Devarakonda Rambabu, R/o D.No.17-100, NTR Colony, Venkatapuram Panchayat, Eluru Mandal, Eluru District, A.P.

... Respondents

WHEREAS the Petitioner above named through their Advocate SRI C VENKAIAH 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 pass an order or writ under Article 226 of the Constitution of India, more particularly one in the nature of Writ of Mandamus or any other writ, declaring the impugned endorsement of 3rd respondent-Sub-Registrar, SRO, Vatluru Village, Eluru District, vide letter No. C-126/2022, dated 09.11.2022, stating to the effect that the registration authorities are not empowered to cancel the documents in question i.e., 1) Cancellation of registered relinquishment deed dated 06-04-2015 bearing

document No.874/2015, 2) Registered mortgage deed dated 01-08-2015 bearing document No.2215/2015 covering the property of Ac.0-04 3/4 cents equal to 229-0-0 Sq.yds situated in RS.No.422/1 of Vatluru Village, Pedapadu Mandal, Eluru District belonging to petitioners in response to legal notice dated 09.09.2022 issued on behalf of petitioners, is illegal, arbitrary, without applying mind, violative of principles of Natural Justice against the provisions of Indian Registration Act, 1908 and Article 21 and 300-A of Constitution of India and against the judgment of Hon'ble High Court of Andhra Pradesh, Hyderabad, reported in 2006 (6) ALT 523 (FB) in Yanala Malleshwari and other Vs. Ananthula Sayamma and others and consequently, direct the respondents 1 to 3 to cancel the above referred fraudulent deeds in respect of subject properties.

AND WHEREAS the High Court upon perusing the petition and affidavit filed herein and upon hearing the arguments of Sri C VENKAIAH Advocate for the Petitioners, GP FOR STAMPS & REGISTRATION for respondent Nos.1 to 3, directed issue of notice to the Respondent Nos.9 & 10, herein to show cause as to why this WRIT PETITION should not be admitted.

You viz:

1. Bethapudi Vanitha, , W/o B.Ratnam, Aged about 37 years, Occ. House wife, R/o Near RCM Church, Vatluru Village, Pedapadu Mandal, West Godavari District, A.P.
2. Polimetla Asservadam, S/o Late P.Peda Lazaru, Aged about 34 years, Occ. Auto Driver, R/o Near RCM Church, Vatluru Village, Pedapadu Mandal, West Godavari District, A.P.

are be and hereby directed to show cause either appearing in person or through an advocate on or before 20.08.2024 to which date the case stands

posted 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.

The Court made the following: ORDER

“Learned counsel for the petitioner submitted that the notices sent to respondent Nos.9 & 10 were un-served with an endorsement 'addressee left' and sought permission of this Court to take fresh personal notice.

Permission is accorded.

Issue notice to the respondent Nos.9 & 10.

Learned counsel for the petitioner is permitted to take out fresh personal notice on respondent Nos.9 & 10 through RPAD and file proof of service in the Registry.

Post on 20.08.2024, in the meantime, counters, if any by the respondents.”

//TRUE COPY//

A

SD/- G.HELANAIDU
ASSISTANT REGISTRAR
SECTION OFFICER

To,

1. Bethapudi Vanitha, , W/o B.Ratnam, Aged about 37 years, Occ. House wife, R/o Near RCM Church, Vatluru Village, Pedapadu Mandal, West Godavari District, A.P.
2. Polimetla Asservadam, S/o Late P.Peda Lazaru, Aged about 34 years, Occ. Auto Driver, R/o Near RCM Church, Vatluru Village, Pedapadu Mandal, West Godavari District, A.P..(1 & 2 by RPAD- along with a copy of petition and memorandum of grounds)
3. One CC to SRI. C VENKAIAH Advocate [OPUC]
4. Two CCs to GP FOR REGISTRATION AND STAMPS (AP) ,High Court Of Andhra Pradesh. [OUT]
5. One spare copy

HIGH COURT

RC, J

DATED:01/08/2024

Post on 20.08.2024

NOTICE BEFORE ADMISSION

WP.No.41285 of 2022

