



**IN THE HIGH COURT OF ANDHRA PRADESH
AT AMARAVATI
(Special Original Jurisdiction)**

[3367]

MONDAY, THE FIRST DAY OF DECEMBER
TWO THOUSAND AND TWENTY FIVE

PRESENT

THE HONOURABLE SRI JUSTICE V SRINIVAS

APPEAL SUIT NO: 615 of 2015

Between:

1. ALTHURTHI SUGUNAMMA, W/O. LATE SUBBARAMA NAIDU LAND
OWNER R/O. KOTHAPALEM (VIL) MUSUNURUVARIPALEM POST,
MUTHKUR MANDAL, SPSR NELLORE DISTRICT

...APPELLANT

AND

1. THE LAND ACQUISITION OFFICER, FOR KRISHNAPATNAM
THERMAL STATION CUM REVENUE DIVISIONAL OFFICER,
NELLORE DISTRICT

2. KAMIREDDY SURENDRA REDDY, OCC: PROPERTY HOLDER R/O.
MUSUNURUVARIPALEM VILLAGE MUTHUKUR MANDAL, SPSR
NELLORE DISTRICT

3. KAMIREDDY KAVITHA, W/O. SURENDRA REDDY OCC: PROPERTY
HOLDER R/O. MUSUNURUVARIPALEM VILLAGE MUTHUKUR
MANDAL, SPSR NELLORE DISTRICT

...RESPONDENT(S):

Counsel for the Appellant:

1. CH C KRISHNA REDDY

Counsel for the Respondent(S):

1. SIVAPRASAD REDDY VENATI

The Court made the following:

THE HONOURABLE SRI JUSTICE V SRINIVAS**APPEAL SUIT No:615 of 2015****JUDGMENT:**

This Appeal Suit is filed against the Award and Decree dated 01.05.2015 passed in L.A.O.P.No.231 of 2009 on the file of the learned Principal Senior Civil Judge, Nellore.

2. The appellant herein is the respondent No.3 before the trial Court. The impugned Award was passed under Section 31(2) of the Land Acquisition Act by the Land Acquisition Officer-cum-Revenue Divisional Officer, Nellore in respect of the land acquired in Sy.No.126 to an extent of Ac.3.60 cents in Pynapuram Village, Muthukur Mandal, *vide* award No.36A/2006-2007 and granted compensation of Rs.16,98,990/-, but the same was not deposited since there is a title dispute in respect of the said land. The respondent Nos.1 and 2 therein filed separate claim statements. The appellant/respondent No.3 filed implead petition, thereafter, she filed her separate claim statement.

3. After considering the facts and circumstances of the case, the trial Court came to a conclusion that appellant/respondent No.3 is not entitled for compensation for the acquired land of Ac.1.06 ½ cents and for the total extent, the claimant Nos.1 and 2 are entitled for claim compensation with accrued interest. Aggrieved by the same, the appellant/respondent No.3 filed the present appeal.

4. Heard learned counsel for the appellant and learned counsel for the respondents.

5. During the course of hearing regarding maintainability of the appeal, it is brought to the notice of this Court a Judgment of the composite High court of Andhra Pradesh, which is a larger Bench consisting of Five Judges in ***Vallabhaneni Lakshmana Swamy v. Valluru Basavaiah***¹.

6. Here is a case where the order is under challenge in this appeal passed by the Principal Senior Civil Judge, Nellore in L.A.O.P.No.231 of 2009 on 01.05.2015.

7. As per the letter received from the Secretary to Government, Law Department, after perusing the Act No.8 of 2015, by virtue of G.O.Ms.No.9, dated 15.04.2015, the Act No.8 of 2015 received the assent of the Governor of Andhra Pradesh on 13.04.2015 and said to be published on 15.04.2015 by virtue of the amendment to Andhra Pradesh Civil Courts Act.

8. As per the amendment of Section 17 of the Civil Courts Act, the worth of claim might be above Rs.10,00,000/-. Here, in the present case, the compensation claimed by the appellant before the trial Court is only Rs.5,02,618/-. Therefore, in view of the judgment of the Full Bench referred to supra, this appeal has to be disposed of by the District Court, Nellore, which is having pecuniary jurisdiction to decide the appeal under the provisions of Andhra Pradesh Civil Courts Act.

¹ (2004) 5 ALD 807

9. Thereby, Registry is directed to remit the present Appeal to the Principal District Court, Nellore, for disposal of the Appeal in tune with law. Since the Appeal Suit is filed in the year 2015, the learned Principal District Judge, Nellore is directed to dispose of the Appeal within a period of six (6) months from the date of receipt of copy of this order.

10. Accordingly, this appeal is disposed of.

JUSTICE V.SRINIVAS

Date:01.12.2025
KNN

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THE HON'BLE SRI JUSTICE V.SRINIVAS

APPEAL SUIT No.615 of 2015

Date: 01.12.2025

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