

IN THE HIGH COURT OF JUDICATURE AT HYDERABAD  
FOR THE STATE OF TELANGANA & THE STATE OF ANDHRA  
PRADESH

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**WRIT PETITION No. 34991 of 2015**

**BETWEEN**

E.T.Tirumala Rani and others

**... PETITIONERS**

**AND**

The State of Andhra Pradesh, rep. by its Secretary and others

**...RESPONDENTS**

Date of Order pronounced: 27.10.2015

**THE HON'BLE SRI JUSTICE VILAS V. AFZULPURKAR**

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|----------------------------------------------------------------------------------|--------|
| 1. Whether Reporters of Local newspapers<br>may be allowed to see the Judgments? | Yes/No |
| 2. Whether the copies of judgment may be<br>marked to Law Reporters/Journals?    | Yes/No |
| 3. Whether his Lordship wish to see the<br>fair copy of the Judgment?            | Yes/No |

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**ORDER:-**

Heard learned counsel for the petitioners and learned government  
pleader for Revenue.

2. The primary relief sought for by the petitioners is with regard to inaction  
of respondent Nos.1 to 3 in not implementing the order passed by the

Hon'ble Upalokayukta in complaint No.3399/2013/B2 dated 20.08.2013, wherein a direction was given to delete the land to an extent of Ac.2-82 cents in survey No.20/4 of P.M.Palem, Visakhapatnam. Petitioners claim on the basis of a patta in their favour in case No.AIP/34/10 dated 30.08.2010 by the Primary Tribunal (Inams)/Tahsildar, Visakhapatnam (Rural) for the aforesaid land.

3. From the order of the Hon'ble Upalokayukta, it appears that based on the said ryotwari patta granted in favour of the petitioners, a direction was given to delete the aforesaid land from the notification given under Section 22-A of the Registration Act and the said order was passed on 20.08.2013. Alleging inaction on the part of respondent Nos.1 to 3 in implementing the said order, the present writ petition is filed.

4. I am, however, unable to appreciate the jurisdiction of the Hon'ble Upalokayukta in matters of this nature. Recently in a Full Bench judgment of this court in W.P.No.7615 of 2013 dated 28.08.2015, it has already been held that unless the complaint falls within the parameters of defined jurisdiction under the A.P.Lokayukta Act, no action can be initiated under the said Act. Applying the tests laid down in the aforesaid decision, the *suo motu* complaint registered and orders passed by the Hon'ble Upalokayukta, referred to above, cannot be approved.

5. To the extent of alternate contention of learned counsel for the petitioners that the Primary Tribunal (Inams) having granted patta to the said land cannot be included under notification under Section 22-A, however, needs to be addressed by way of a representation before the first respondent and to the Collector, Visakhapatnam in terms of Section 22-A(iv) of the Registration Act. Petitioners, therefore, are at liberty to make appropriate representation in terms of the aforesaid provision and on receipt of such representations the competent authority shall consider the same on its own merits and pass appropriate orders expeditiously.

Writ petition is accordingly disposed of. As a sequel, the miscellaneous applications, if any, shall stand closed. There shall be no order as to costs.

October 27, 2015  
**LMV**

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VILAS V. AFZULPURKAR, J