

(SHOW CAUSE NOTICE BEFORE ADMISSION)

**HIGH COURT OF JUDICATURE AT HYDERABAD
FOR THE STATE OF TELANGANA AND THE STATE OF ANDHRA
PRADESH**

(Special Original Jurisdiction)

TUESDAY, THE TWENTY FOURTH DAY OF FEBRUARY
TWO THOUSAND AND FIFTEEN

:PRESENT:

THE HON'BLE SRI JUSTICE CHALLA KODANDA RAM

WP :3541 of 2015

Between:

K.A. Swamy S/o. Appala Swamy, R/o. Bhogapuram Village and Mandal, Vizianagaram District.

..... Petitioner

AND

- 1 The State of Andhra Pradesh, rep. by its Principal Secretary, Revenue Department, Secretariat, Hyderabad.
- 2 The Joint Collector, Vizianagaram District at Vizianagaram.
- 3 The Revenue Divisional Officer, Vizianagaram Division, Vizianagaram District.
- 4 The Tahsildar, Bhogapuram Mandal, Bhogapuram, Vizianagaram District.
- 5 Uggina Venkatachalam S/o. Late Babai Dora, R/o. gowripatnam Village, Chodavaram Mandal, Visakhapatnam District.
- 6 Nainala Harischandra Prasad S/o. Sreeramulu, D.No.1-67, Gandhinagar, Chevudulanka, Alamuru Mandal, East Godavari District.
- 7 Akula Govindarajulu S/o. Late Rama Rao, D.No.5-100-7, T.P.T. Colony, Seethammadhara, Visakhapatnam District.
- 8 Bathina Lakshmi Kiranmayee D/o. Narasimha Swamy, Type IV, 22/1, H.V.F. Estate, Avidi, Chennai, State of Tamil Nadu.

.....Respondents

WHEREAS the Petitioner above named through her Advocate M/S BHARADWAJ ASSOCIATES, presented this writ petition under Article 226 of the Constitution of India praying that in the circumstances stated in the Affidavit filed here in the High Court may be pleased to issue a Writ of Certiorari or any other appropriate writ and quash the orders of the 2nd respondent contained in Rc.No.1988/2014, dated 27.12.2014 and also the orders of the 2nd respondent in Rc.No.1780/2012, dated 29.04.2014 and direct the 4th respondent to delete the names of the respondents 6 to 8 from the revenue records in respect of the land admeasuring Ac.48-00 in Sy.Nos.384, 385, 386/1, 386/2 and 387 of Bhogapuram East Village and Mandal, Vizianagaram District and restore the name of the petitioner as the owner and possessor of the said lands, duly cancelling the Pattadar Pass Books and Title Deeds that were issued to the respondents 5 to 8 and grant:

AND WHEREAS the High Court upon perusing the petition and affidavit filed herein and upon hearing the arguments of M/S BHARADWAJ ASSOCIATES, Advocate for the Petitioner learned Government Pleader for Revenue (T.G.), for Respondent Nos. 1 to 4, and of Smt. T.V.Sridevi, learned counsel for Respondent Nos. 5 to 8, directed issue of notice to the Respondents herein to show cause as to why this writ petition should not be

admitted in the circumstances set out in the petition and the affidavit filed in Writ Petition;

You viz ;

- 1 The Principal Secretary, Revenue Department, State of Andhra Pradesh, Secretariat, Hyderabad.
- 2 The Joint Collector, Vizianagaram District at Vizianagaram.
- 3 The Revenue Divisional Officer, Vizianagaram Division, Vizianagaram District.
- 4 The Tahsildar, Bhogapuram Mandal, Bhogapuram, Vizianagaram District.
- 5 Uggina Venkatachalam S/o. Late Babai Dora, R/o. gowripatnam Village, Chodavaram Mandal, Visakhapatnam District.
- 6 Nainala Harischandra Prasad S/o. Sreeramulu, D.No.1-67, Gandhinagaram, Chevudulanka, Alamuru Mandal, East Godavari District.
- 7 Akula Govindarajulu S/o. Late Rama Rao, D.No.5-100-7, T.P.T. Colony, Seethammadhara, Visakhapatnam District.
- 8 Bathina Lakshmi Kiranmayee D/o. Narasimha Swamy, Type IV, 22/1, H.V.F. Estate, Avidi, Chennai, State of Tamil Nadu.

are directed to show cause 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:

Notice before admission.

The case involves certain intricate issues in relation to the aspect of finality that is required to be given to the entries in the revenue records particularly keeping in view the provisions of Sections 3 and 6(2) of Record of Rights Act (for short "the Act") and the amendments which have been made in the statute by virtue of Sections 6-A, 6-B and 6-C of the Act.

The learned counsel for the petitioner and the learned counsel for respondent Nos. 5 to 8 request the case to be taken up for final disposal.

The learned Government Pleader for Revenue undertakes to produce records pertaining to the case.

List the matter on 23.03.2015 for final hearing subject to part-heard.

Pending disposal of the writ petition, respondent Nos.5 to 8 shall not create any charge or third party interest or alienate the schedule property in Sy.Nos.384, 385, 386/1, 386/2 and 387 situated in Bhogapuram East village and Mandal, Vizianagaram District.

ASSISTANT REGISTRAR
//TRUE COPY//
For ASSISTANT REGISTRAR

To

- 1 The Principal Secretary, Revenue Department, State of Andhra Pradesh, Secretariat, Hyderabad.
- 2 The Joint Collector, Vizianagaram District at Vizianagaram.
- 3 The Revenue Divisional Officer, Vizianagaram Division, Vizianagaram District.
- 4 The Tahsildar, Bhogapuram Mandal, Bhogapuram, Vizianagaram District.
- 5 Uggina Venkatachalam S/o. Late Babai Dora, R/o. gowripatnam Village, Chodavaram Mandal, Visakhapatnam District.
- 6 Nainala Harischandra Prasad S/o. Sreeramulu, D.No.1-67, Gandhinagaram, Chevudulanka, Alamuru Mandal, East Godavari District.
- 7 Akula Govindarajulu S/o. Late Rama Rao, D.No.5-100-7, T.P.T. Colony, Seethammadhara, Visakhapatnam District.
- 8 Bathina Lakshmi Kiranmayee D/o. Narasimha Swamy, Type IV, 22/1, H.V.F. Estate, Avidi, Chennai, State of Tamil Nadu. (1 to 8 BY RPAD along with a copy of petition and affidavit)
- 9 One CC to M/S BHARADWAJ ASSOCIATES, Advocate (OPUC).
- 10 One CC to SMT. T.V.SRIDEVI, Advocate (OPUC).
- 11 Two CCs to GP FOR REVENUE (T.G.), HIGH COURT, HIGH COURT BUILDINGS, HYD. (OUT).
- 12 One spare copy.

SRL

HIGH COURT

CKRJ

DATED: 24.02.2015

NOTICE BEFORE ADMISSION

W.P.NO. 3541 OF 2015

HIGH COURT

Drafted by: SRL
Date of Drafting : 26.02.2015

CKRJ

DATED: 24.02.2015

NOTICE BEFORE ADMISSION

W.P.NO. 3541 OF 2015

DIRECTION