

HON'BLE SRI JUSTICE C.V.NAGARJUNA REDDY

WRIT PETITION No.11331 of 2014

Date:10.02.2016

Between:

K.Kancherla Revathi,
D/o Late Raghava Rao and another.

..... Petitioners

And:

The State of A.P., repled by its
Principal Secretary, Endowments
Department, Hyderabad,
and four others.

.....Respondents

Counsel for the Petitioners: Mr. D.Krishna Murthy

Counsel for Respondent Nos.1 to 3: AGP for Endowments
(AP)

Counsel for Respondent No.5: AGP for Revenue (AP)

The Court made the following:

ORDER:

This Writ Petition is filed for a *Mandamus* to declare the action of respondent No.3, in informing respondent No.5 that the land admeasuring Acs.14.28 cents in R.S.No.581 of Magallu Village, Nandigama

Mandal, Krishna District belongs to respondent No.4-temple, as illegal and arbitrary.

Except respondent No.5 no other respondents have filed counter-affidavits.

A perusal of the record shows that along with the Writ Petition, the petitioner has filed proceedings, vide Rc.No.A4/4948/2013, dated 19.11.2013, of respondent No.3 wherein he has informed respondent No.2 that the report of the Inspector, Endowments Department, Nandigama, shows that respondent No.4-temple owns an extent of Acs.14.28 cents in R.S.No.498 of Magallu Village, while an extent of Acs.14.22 cents in R.S.No.581 is owned and is in possession of five persons mentioned therein including the petitioners herein, who are shown to be owning Acs.2.51 cents Acs.4.37 cents of land respectively. In support of this view, respondent No.3 has enclosed copies of RSR, Fair Adangal and FMB of R.S.No.498 and has requested respondent No.2 to issue appropriate instructions on the representations made by the petitioners.

In his counter-affidavit, respondent No.5 has stated that in pursuance of letter, dated 19.11.2008, addressed by respondent No.2 to him, the lands in R.S.No.581 admeasuring Acs.14.28 cents were included in the Prohibitory Register for registration.

The above-mentioned letter clearly proves that the intimation given by respondent No.3 on 19.11.2013 to respondent No.2 is under a thorough mistake of fact and that, instead of mentioning the lands in R.S.No.498, respondent No.3 has mentioned the lands in R.S.No.581 as belonging to respondent No.4-temple.

In the light of the above uncontroverted facts, the Writ Petition is allowed as prayed for.

As a sequel to disposal of the Writ Petition, W.P.M.P.No.14295 of 2014 shall stand disposed of as

infructuous.

*JUSTICE C.V.NAGARJUNA
REDDY*

*10th February, 2016
DR*