

**HONOURABLE SRI JUSTICE P.NAVEEN RAO**

**WRIT PETITION NO.26614 OF 2017**

**Date: 25.10.2017**

Between:

C.Gangappa s/o. late Narasimhappa, Aged 61 years,  
R/o. D.No.6-47, Maluguru village, Hindupur Mandal,  
Anantapur district.

.....Petitioner

and

The State of Andhra Pradesh, rep.by its Principal  
Secretary, Revenue Department, Secretariat,  
Velagapudi, Amaravathi, Guntur district and others.

.....Respondents



The Court made the following:

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**ORDER:**

Petitioner claims that he was granted D-form patta to an extent of Ac.0.93 cents in Sy.No.84/1 of Maluguru village, Hindupur Mandal, Ananthapur district. According to the petitioner, though land was assigned, but survey number was wrongly mentioned in the assignment order as 84/4, whereas the actual land is in Sy.No.85/3. Accordingly, request was made by petitioner to correct D-form patta and issue revised D-form patta and Tahsildar vide his order dated 13.07.2017, refused the request of petitioner. Tahsildar stated that land in Sy.No.85/3 is required for establishing burial ground and, therefore, request of petitioner cannot be considered. The same is under challenge in this writ petition.

2. Written instructions furnished to the learned Government Pleader are produced. Written instructions would disclose that even assignment granted to the petitioner is doubted and according to the revenue authorities, no land with Sy.No.84/4 exists. Proceedings under challenge are with reference to refusal of request of petitioner for change of survey number in the alleged D-form patta granted to him. There is no mention on validity of D-form patta claimed by the petitioner. Thus, Court is not expressing any opinion on the same at this stage.

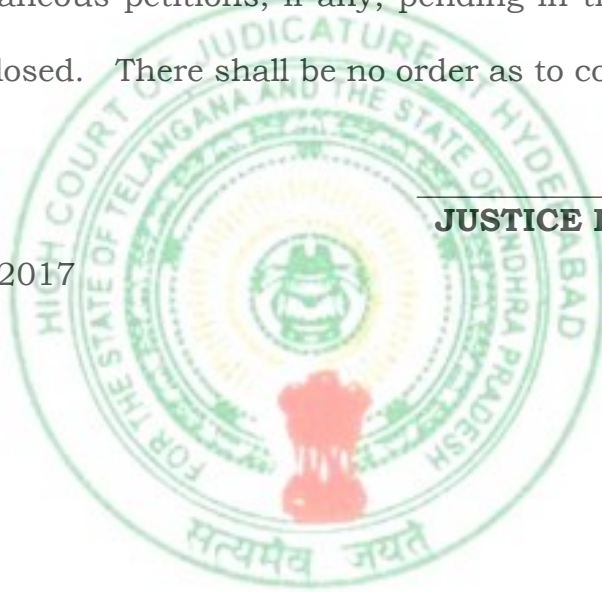
3. Since the alleged D-form patta contains specific Sy.No.84/4, subject of course to the validity of such D-form patta, question of asking for change of survey number is not valid. It is nothing but

amounting to granting a fresh patta on a different land and such direction cannot be granted. Furthermore, when the Tahsildar specifically stated that land in Sy.No.85/3 is required for establishing burial ground, no direction to assign said land can be granted to the petitioner. Therefore, petitioner is not entitled to the claim as sought for. Writ petition is liable to be dismissed and is accordingly dismissed. It is needless to observe that it is open to the competent authority to take appropriate action as warranted by law on the issue of obtaining fraudulent patta.

Miscellaneous petitions, if any, pending in this writ petition shall stand closed. There shall be no order as to costs.

Date: 25.10.2017  
kkm

**JUSTICE P.NAVEEN RAO**



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