APHC010023472025

IN THE HIGH COURT OF ANDHRA PRADESH
AT AMARAVATI **[3328]**
(Special Original Jurisdiction)

THURSDAY ,THE SIXTH DAY OF FEBRUARY
TWO THOUSAND AND TWENTY FIVE

PRESENT

THE HONOURABLE SRI JUSTICE GANNAMANENI RAMAKRISHNA PRASAD

WRIT PETITION NO: 2893/2025

Between:

1. CHUKKA APPALA RAJU, S/O LATE APPANNA, AGE ABOUT 53 YEARS, OCC. YATHA/CULTIVATION, R/O PEDDIPALEM VILLAGE, ANANDAPURAM MANDAL, VISAKHAPATNAM DISTRICT.
2. CHUKKA ADINARAYANA, S/O LATE APPANNA, AGE ABOUT 40 YEARS, OCC. YATHA/CULTIVATION, R/O PEDDIPALEM VILLAGE, ANANDAPURAM MANDAL, VISAKHAPATNAM DISTRICT.
3. CHUKKA RAJU, S/O LATE RAMUDU, AGE ABOUT 39 YEARS, OCC. YATHA/CULTIVATION, R/O PEDDIPALEM VILLAGE, ANANDAPURAM MANDAL, VISAKHAPATNAM DISTRICT.

...PETITIONER(S)

AND

1. THE STATE OF ANDHRA PRADESH, REP. BY ITS PRINCIPAL SECRETARY, REVENUE DEPARTMENT, SECRETARIAT BUILDINGS, VELAGAPUDI, AMARAVATHI.
2. THE STATE OF ANDHRA PRADESH, REP. BY ITS PRINCIPAL SECRETARY, MA AND UD., SECRETARIAT BUILDINGS, VELAGAPUDI, AMARAVATHI.
3. THE DISTRICT COLLECTOR, VISAKHAPATNAM DISTRICT AT VISAKHAPATNAM.
4. THE VISAKHAPATNAM METRO REGION DEVELOPMENT AUTHORITY, VISAKHAPATNAM, REP. BY ITS COMMISSIONER.
5. THE REVENUE DIVISIONAL OFFICER, VISAKHAPATNAM REVENUE DIVISION AT VISAKHAPATNAM, VISAKHAPATNAM DISTRICT.

6. THE TAHSILDAR, ANANDAPURAM MANDAL AT ANANDAPURAM, VISAKHAPATNAM DISTRICT.
7. M/S ANNADATA AGRO FARMS PRIVATE LTD, REP. BY ITS DIRECTOR SRI MAVURI VENKATA RAMANA S/O SATYANARAYANA, R/O D.NO.53-33-16, COLONY, VISAKHAPATNAM.
8. M/S SRI VIDYA INFRASTRUCTURES PRIVATE LTD, REP. BY ITS DIRECTOR SMT.BOPPANA SUSHAMA SRI W/O YELAMANCHILI SRIDHAR, OFFICE AT 4TH FLOOR, SANTOSH TOWERS, SY.NO.11/11-11/1, AYYAPPA SOCIETY, MADHAPUR, HYDERABAD, R/O D.NO.8-2- 293/82/A549/B, ROAD NO.27, JUBILEE HILLS, SHAIKPET, HYDERABAD, TELANGANA - 500033.

...RESPONDENT(S):

Counsel for the Petitioner(S):

1. MUNAKALA VENKATA RAMANA

Counsel for the Respondent(S):

1. GP FOR REVENUE

The Court made the following:

ORAL ORDER:

Heard Sri Munakala Venkata Ramana, learned Counsel for the Writ Petitioners and Sri K. Arjun Chowdhary, learned Assistant Government Pleader for Revenue.

2. The Writ Petitioners have challenged the action of the Official Respondents in mutating the Revenue Record, thereby, deleting the names of the Writ Petitioners herein and including the names of the Unofficial Respondent Nos.7 & 8 herein without following the statutory procedure and the due process of law and without issuing advance Notice to the Writ Petitioners herein. Learned Counsel would submit that the Official Respondents have violated the principles of Natural Justice in mutating the Revenue Record in favour of the Unofficial Respondent Nos.7 & 8 by deleting the names of the Writ Petitioners, behind their back. Learned Counsel would submit that the Writ Petitioners have filed O.S.No.589/2024 on the file of the Civil Judge (Junior Division), Bheemunipatnam, seeking relief of grant of

Permanent Injunction. Learned Counsel has also submitted across the table a copy of the I.A filed by the Writ Petitioners bearing I.A.No.597/2024 in O.S.No.589/2024, seeking Ad-interim *ex parte* Injunction, restraining the Defendant No.3 from changing the physical features of the plaint schedule property in any manner including the construction thereon or alienating the property to third parties. It is the submission of the learned Counsel for the Writ Petitioners that while the said I.A.No.597/2024 is under active consideration before the Civil Court, there is an apprehension that the Unofficial Respondent Nos.7 & 8 may frustrate the cause of the Suit by creating third party rights.

3. Having regard to the facts and circumstances of this case, this Court deems it appropriate to dispose of this Writ Petition, at the admission stage, without going into the merit, directing the Civil Judge (Junior Division), Bheemunipatnam, to consider the I.A.No.597/2024 in O.S.No.589/2024 and dispose of the same by passing a Speaking Order in accordance with law within a period of eight weeks from today. Needless to state that the learned Civil Judge shall dispose of the I.A.No.597/2024 on its own merit. It is clarified that this Court has not made any observation or comment on the merits of the matter.

4. Writ Petitioners are directed to submit a copy of this Order to all the Respondents and the learned Civil Judge (Junior Division), Bheemunipatnam within one week from today, for effective compliance.

5. There shall be a direction to all the parties not to create any third-party rights either by way of lease, sale or by any other mode of alienation, until the disposal of the Interlocutory Application bearing I.A.No.597/2024.

6. With these observations and directions, this Writ Petition stands disposed of. No order as to costs.

7. Interlocutory Applications, if any, stand closed in terms of this order.

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GANNAMANENI RAMAKRISHNA PRASAD, J

Dt: 06.02.2025

Vns