IN THE HIGH COURT OF ANDHRA PRADESH::AMARAVATI
(Special Original Jurisdiction)

WEDNESDAY, THE TWELFTH DAY OF MARCH
TWO THOUSAND AND TWENTY FIVE

PRESENT

THE HONOURABLE SRI JUSTICE VENKATESWARLU NIMMAGADDA

WRIT PETITION NO: 6066 OF 2025

Between:

Kamatham Balaji, S/o K. Subbaramaiah, Aged about 50 years, Occ Agricultural Cooli, R/o Thangella Village, Marripudi Mandal, Prakasam District.

...Petitioner

AND

1. The State of Andhra Pradesh, Rep by the Prl. Secretary, Revenue Department, Secretariat, Velagapudi, Guntur District.
2. The District Collector, Ongole, Prakasam District.
3. The Revenue Divisional Officer, Kandukur, Prakasam District.
4. The Tahsildar, Marripudi Mandal, Prakasam District.

...Respondents

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the affidavit filed therewith, the High Court may be pleased to issue an appropriate Writ, Order or Direction, more particularly one in the nature of Writ of Mandamus, declaring action on part of the 4th respondent is trying to cancel the petitioner house site patta No. 41 arvextent of Ac 0-05 cents in layout No. 567 of Thangella Village, Marripudi Mandal, Prakasam District without issuing any notice and without following due process of law is illegal, arbitrary, violative of the principles of natural justices and offends Articles 14, 21 and 300 A of Constitution of

India and consequently this Hon'ble court to direct the respondent No.3 and 4 not cancelling the petitioner house site pata no. 41 an extent of Ac 0-05 cents in layout No. 567 of Thangella Village, Marripudi Mandal, Prakasam District

IA NO: 1 OF 2025

Petition under Section 151 CPC praying that in the circumstances stated in the affidavit filed in support of the petition, the High Court may be pleased to direct the 4th respondents not to dispossess of the petitioner house site No.41 an extent of AcO-05 cents in layout No.567 of Thangella Village, Marripudi Mandal, Prakasam District, pending disposal of the main writ petition

Counsel for the Petitioner: SRI P V VENKATA RAVI SANKAR

Counsel for the Respondents No.1 to 4: GP FOR REVENUE

The Court made the following: Order

APHC01D114042025

IN THE HIGH COURT OF ANDHRA PRADESH
AT AMARAVATI [3329]
(Special Original Jurisdiction)

WEDNESDAY ,THE TWELFTH DAY OF MARCH
TWO THOUSAND AND TWENTY FIVE

PRESENT

THE HONOURABLE SRI JUSTICE VENKATESWARLU NIMMAGADDA

WRIT PETITION NO: 6066/2025

Between:

Kamatham Balaji, ...**PETITIONER**

AND

The State Of Andhra Pradesh and Others ...**RESPONDENT(S)**

Counsel for the Petitioner:

1.P V VENKATA RAVI SANKAR and Dr. P.B Reddy

Counsel for the Respondent(S):

1.GP FOR REVENUE

The Court made the following:

THE HON'BLE SRI JUSTICE VENKATESWARLU NIMMAGADDA

WRIT PETITION NO: 6066/2025

ORDER:

This writ petition is filed under Article 226 of the Constitution of the India seeking the following reliefs:-

> *"to issue a writ, order or direction more particularly one in the nature of Writ of Mandamus declaring action on part of the 4th respondent is trying to cancel the petitioner house site patta No.41 an extent of Ac.0.05 cents in layout No.567 of Thangella Village, Marripudi Mandal, Prakasam District without issuing any notice and without following due process of law is illegal, arbitrary, violative of the principles of natural justices and offends Articles 14, 21 and 300-A of Constitution of India and consequently this Hon'ble court to direct the respondent Nos.3 and 4 not to cancel the petitioner's house site pata No.41 an extent of Ac.0.05 cents in layout No.567 of Thangella Village, Marripudi Mandal, Prakasam District and pass such other order.*

2. Heard the learned counsel for the petitioner and the learned Government Pleader for the respondents.

3. Learned counsel for the petitioner submits that the petitioner's parents made an application to the then Tahsildar, Kandukur. Later, the then Tahsildar conducted enquiry and granted house site patta in favour of the mother of the petitioner. The petitioner's parents constructed thatched house in the said premises. After the demise of the petitioner's mother, the petitioner has been in possession and enjoyment of the subject property. Now the petitioner intend to construct new house in the said house site. But to the utter surprise of the petitioner, without issuing any notice and

without following the due process, the 4th respondent is trying to cancel the house site patta granted in favour of petitioner's mother. He further submits that the petitioner approached the 4th respondent and orally requested not to cancel the house site patta. But the 4th respondent did not consider the same. Hence, the present Writ Petition.

4. On the other hand, learned Government Pleader for the respondents submits that if the respondents intend to cancel the house site patta, they will follow due process of law.

5. Having regard to the submissions made by the learned counsel for the petitioner and the learned Government Pleader for the respondents and on perusal of the material placed on record, this Court is of the considered opinion that the present Writ Petition can be disposed of by directing the respondents not to cancel the subject house site patta, if the petitioner is in possession of the subject property, without following due process of law.

6. With the above directions, the Writ Petition is disposed of. There shall be no order as to costs.

As a sequel miscellaneous application, pending, if any, shall also stand closed.

Sd/- K. TATA RAO
DEPUTY REGISTRAR

//TRUE COPY//

SECTION OFFICER

To,

1. The Principal Secretary, State of Andhra Pradesh, Revenue Department, Secretariat, Velagapudi, Guntur District.
2. The District Collector, Ongole, Prakasam District.
3. The Revenue Divisional Officer, Kandukur, Prakasam District.

4. The Tahsildar, Marripudi Mandal, Prakasam District.
5. One CC to SRI P V VENKATA RAVI SANKAR, Advocate [OPUC]
6. Two CCs to GP FOR REVENUE, High Court of Andhra Pradesh [OUT]
7. Three CD Copies

sg

HIGH COURT

DATED: 12/03/2025

ORDER

WP.No.6066 of 2025



DISPOSING THE WP
WITHOUT COSTS