APHC010148122026

IN THE HIGH COURT OF ANDHRA PRADESH
AT AMARAVATI **[3624]**
(Special Original Jurisdiction)

MONDAY, THE 26th DAY OF OCTOBER 2026

PRESENT

THE HONOURABLE SRI JUSTICE RAVI NATH TILHARI

THE HONOURABLE SRI JUSTICE ALAPATI GIRIDHAR

WRIT APPEAL NO: 409/2026

Writ Appeal under clause 15 of the Letters Patent of Writ Appeal against the orders dated 22.08.2025 passed in W.P. No. 2557 of 2023

Between:

1. BIRUKOTA RAMANAMMA,, W/O LATE RAJASEKHAR, AGED ABOUT 51 YEARS, R/O 72/8A, NEAR URAVAKALI KALLURU VILLAGE AND MANDAL, KURNOOL DISTRICT, ANDHRA PRADESH.
2. BIRUDUKOTA KAVITHA,, D/O LATE RAJASEKHAR, AGED ABOUT 31 YEARS, R/O 72/8A, NEAR URAVAKALI KALLURU VILLAGE AND MANDAL, KURNOOL DISTRICT, ANDHRA PRADESH

...APPELLANT(S)

AND

1. THE GOVERNMENT OF ANDHRA PRADESH, REP., BY ITS PRINCIPAL SECRETARY, REVENUE DEPARTMENT SECRETARIAT BUILDINGS, VELAGAPUDI, AMARAVATI, GUNTUR DISTRICT. 522237
2. THE JOINT COLLECTOR, KURNOOL, KURNOOL DISTRICT. - 518002
3. THE REVENUE DIVISIONAL OFFICER, KURNOOL DIVISION KURNOOL DISTRICT. - 518002
4. THE TAHSILDAR, KALLUR, KURNOOL DIVISION, KURNOOL DISTRICT. - 518002

5. SMT YASM VEERAMMA, W/O VEERABHADRAPPA, AGED ABOUT 73 YEARS, R/O H.NO.45/23 C, ASHOK NAGAR, KURNOOL, KURNOOL DISTRICT -518005

6. SRI S YELLA REDDY, S/O LAKSHMI REDDY, AGED ABOUT 75 YEARS, R/O H.NO.76/97, SAMPATH NAGAR, BELLARY CHOWRASTHA, KURNOOL, KURNOOL DISTRICRT.518 003

7. Y RAJESH BABU, S/O GOWRAIAH, AGED ABOUT 48 YEARS, R/O H.N0.45/23-C, ASHOK NAGAR, KURNOOL, KURNOOL DISTRICT 518 005

8. Y VEERESH BABU, S/O GOWRAIAH, AGED ABOUT 48 YEARS, R/O H.N0.45/23-C, ASHOK NAGAR, KURNOOL, KURNOOL DISTRICT. 518005

9. Y SWATHI, AGED ABOUT 36 YEARS, R/O. H.NO.45/23-C, ASHOK NAGAR, KURNOOL, KURNOOL DISTRICT. - 518005

10. Y SIVAKAMESWARI, AGED ABOUT 38 YEAS, R/O. H.NO.45/23-C, ASHOK NAGAR, KURNOOL, KURNOOL DISTRICT.-518005

11. SMT K LALITHAMMA, W/O LATE BHASKARAIAH, AGED ABOUT 75 YEARS, R/O DOOR NO.70-126-A4, KALLUR VILLAGE, KURNOOL, KURNOOL DISTRICT. - 518005

12. SRI E NARAYANA SETTY, S/O VENKATA SETTY, AGED ABOUT 75 YEARS, R/O H.NO.35, SHARAF BAZAR, KURNOOL, KURNOOL DISTRICT. 518005

13. SMT JANGAM VISWESWARAMMA, AGED ABOUT 48 YEARS. LEGAL HEIR OF Y. NAGAPPA (DIED), R/O H.NO.45/23-C, ASHOK NAGAR, KURNOOL, KURNOOL DISTRICT -518005

14. SMT BUKKA NAGAMANI, AGED ABOUT 45 YEARS. LEGAL HEIR OF Y. NAGAPPA (DIED), R/O H.NO.45/23-C ASHOK NAGAR, KURNOOL, KURNOOL DISTRICT. - 518005

15. YASAM RAMESH BABU, AGED ABOUT 48 YEARS. LEGAL HEIR OF Y. NAGAPPA (DIED), R/O L-I.NO.45/23-C, ASHOK NAGAR, KURNOOL, KURNOOL DISTRICT.-518005

16. Y JAGADEESWARI, AGED ABOUT 45 YEARS. LEGAL HEIR OF Y. NAGAPPA (DIED), R/O H.NO.45/23-C ASHOK NAGAR, KURNOOL,

KURNOOT DISTRICT. 518005

17. Y JAYAMMA, W/O LATE YASAM RAJ KUMAR, AGED ABOUT 46 YEARS. LEGAL HEIR OF Y. NAGAPPA (DIED), R/O H.NO.45/23-C, ASHOK NAGAR, KURNOOL, KURNOOL DISTRICT. - 518005

18. SMT YERRAGUNTIA KUMARI ESWARI, AGED ABOUT 46 YEARS. LEGAL HEIR OF Y. NAGAPPA (DIED), R/O H.NO.45/23-C, ASHOK NAGAR, KURNOOL, KURNOOL DISTRICT -518005

19. B SREENIVASA REDDY, S/O A. TIRUPAL REDDY, AGED ABOUT 51 YEARS, R/O DOOR NO.70-126-A4 KALLUR VILLAGE, KURNOOL, KURNOOL DISTRICT. - 518005

20. K MANJULA, W/O K. MALLIKARJUNA RAO, R/O D.NO.70-126-A4, KALLUR VILLAGE, KURNOOL, KURNOOL DISTRICT.

21. SAMPATHI RAMADEVI, W/O.LATE S.YELLA REDDY,AGE NOT KNOWN TO THE PETITIONERS, R/O.H.NO.76-97-19,SAMPATH NAGAR,KALLUR,KURNOOL 518003.

22. SAMPATHI NAGALAKSHMI REDDY, S/O.LATE S.YELLA REDDY,AGE NOT KNOWN TO THE PETITIONERS, R/O.H.NO.76-97-19,SAMPATH NAGAR,KALLUR,KURNOOL CITY AND DISTRICT. RESPONDENT NO.21 AND 22 ,ARE BROUGHT ON RECORD AS LRS OF R6 AS PER C.O.DT.07.09.2026 VIDE I.A.NO.2 OF 2026 IN W.A.NO.409 OF 2026.

...RESPONDENT(S):

IA NO: 1 OF 2026

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 pleased to condone the delay of 87 days in filing the above writ Appeal against the order dated 22-08-2025 passed in WP.No. 2557 of 2023

IA NO: 2 OF 2026

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 May be pleased to bring the legal representatives of the deceased 6th Respondent on record i.e., the respondents 21 and 22 /proposed respondents 21 and 22 herein as Respondents 21 and 22 in above W.A. No.

409 of 2026 and in all the miscellaneous petitions connected there to and to pass

Counsel for the Appellant(S):

1. VENKAT SAILENDRA G

Counsel for the Respondent(S):

1. KILARU NITHIN KRISHNA
2. GP FOR REVENUE
3. K SITA RAM
4. S LAKSHMINARAYANA REDDY
5. CHALLA SIVASANKAR
6. C SUBODH

The Court made the following:

JUDGMENT :-*(per Hon'ble Sri Justice Ravi Nath Tilhari)*

Heard Sri G.Venkateswara Rao, learned counsel representing Sri G. Venkat Sailendra, learned counsel for the writ appellants, Sri K.Vijayeswari, learned Assistant Government Pleader for Revenue, appearing for the respondent Nos.1 to 4, Sri K. Sitaram, learned counsel appearing for respondent Nos.7 to 10, Sri Challa Siva Sankar, learned counsel appearing for respondent No.11, Sri G.Sravan Kumar, learned counsel representing Sri C.Subodh, learned counsel appearing for respondent No.12 and Sri S.Lakshminarayana Reddy, learned counsel appearing for respondent No.22.

2. The dispute between the parties relates to the mutation entries made in the Pattadar Passbooks under the provisions of the Andhra Pradesh Rights in Land and Pattadar Pass Books Act, 1971 (for short, "the Act, 1971").

3. Initially, one Sri Bidurukota Thimmaiah (respondent No.1 in the order dated 30.10.2014) submitted a representation to the Tahsildar, Kallur, seeking cancellation of the Pattadar Passbooks and Title Deeds issued in favour of Sri Sampathi Yella Reddy (respondent No.6 in W.A.No.409 of 2026) and eight others. In the said representation, he claimed that he and the persons represented by him were the rightful owners of the lands situated in Sy.No.74-A, admeasuring Ac.8.76 cents; Sy.No.74-B, admeasuring Ac.9.56 cents; Sy.No.117, admeasuring Ac.9.25 cents; and Sy.No.244, admeasuring

Ac.13.27 cents, and alleged that the Pattadar Passbooks and Title Deeds had been obtained by Sri Sampathi Yella Reddy and eight others fraudulently, by suppressing material facts.

4. On conducting an enquiry, the Tahsildar submitted a report dated 10.02.2014, vide Rc.B.81/2014, to the Revenue Divisional Officer, Kurnool (for short, "the RDO"), stating that no documentary evidence was available to substantiate the issuance of Pattadar Passbooks in favour of Sri Sampathi Yella Reddy and eight others. Pursuant thereto, the Revenue authorities initiated proceedings for cancellation of the Pattadar Passbooks issued in their favour.

5. Aggrieved by the proceedings arising out of the report dated 10.02.2014, Sri Sampathi Yella Reddy and eight others approached the RDO, Kurnool, seeking to set aside the same. Upon hearing both parties, the RDO passed an order dated 30.10.2014, holding that the Revenue authorities were not competent to adjudicate disputes relating to title over immovable properties.

6. Aggrieved by the order dated 30.10.2014, Sri Bidurukota Thimmaiah preferred a revision before the Joint Collector, Kurnool, which was allowed by order dated 24.09.2016, vide proceedings in Rc.D5/6043/2014, whereby the matter was remanded to the RDO for fresh consideration.

7. Pursuant to the remand, the RDO passed an order dated 16.01.2017, vide R.Dis.No.626/2014, directing the Tahsildar to take necessary steps for cancellation of the Pattadar Passbook and Title Deed issued in favour of respondent No.6 herein.

8. Challenging the order dated 16.01.2017, respondent No.6 in W.A.No.409 of 2026 filed W.P.No.7048 of 2017, while respondent No.11 in the said writ appeal filed W.P.No.8795 of 2017. Both the writ petitions were allowed by a common order dated 07.04.2021, whereby the impugned order dated 16.01.2017 passed by the RDO was set aside. However, liberty was reserved to the appellants therein (unofficial respondents) to avail themselves of such remedies as may be available to them in law, within a period of four (4) weeks. The operative portion of the common order dated 07.04.2021 reads as follows:

> *"Accordingly, the writ petitions are allowed, the order impugned dated 16.01.2017 passed by the 3rd respondent is set aside. However, the order of this Court shall not be construed as deciding the claims of the respective parties by examining the merits of the same. Since the order impugned is set aside in view of the legal position referred to supra, the contesting unofficial respondents are at liberty to work out their remedies available in law, within a period of four (4) weeks. If such remedy is availed, the same shall be considered in accordance with law and as expeditiously as possible, at any rate within a period of eight (8) weeks thereafter."*

9. Learned counsel for the writ appellants submits that the writ appellants filed a revision on 26.08.2021. Thereafter, on 19.02.2022, an application seeking condonation of delay in filing the appeal was also filed, along with another copy of the revision.

10. Learned counsel for the respondents, however, points out that the revision was not filed on 26.08.2021, but was filed only on 03.03.2022. The said revision was dismissed on the ground of limitation by order dated 17.01.2023, passed by the Joint Collector, & Additional District Magistrate, Kurnool, vide Proceedings in R.Dis.D5.1349/2021. The relevant portion of the said order reads as follows:

> *"Only the procedure of admissibility of petition in the light of Hon"ble Apex Court and Hon'ble High Court orders was examined. The petitioners failed to mention valid reasons and sufficient causes for the delay in filing the petition. Further the Petitioners argument that they could not file the petition within the period stipulated by Hon'ble High Court as the offices were not working is not true as this office worked during the said period and received petitions."*
>
> *The respondents have come up with their counters against allowing the petition for hearing in view of inordinate delay and without getting extension orders from the Hon'ble High Court of AP for filing the petition.*
>
> *In view of foregoing facts, it is concluded that the petitioners have no valid reasons and sufficient causes in filing the petition with abnormal delay. They have not followed the directions passed by the Hon'ble High Court of AP in Writ*

Petition No. 7048/2017 and 8795/2017 Dated: 07.04.2021 and the Hon'ble Apex Court.

Hence, the petition deserves no consideration to take up the case under ROR Act. Accordingly the petition is not allowed."

11. It is evident from the aforesaid proceedings that the Joint Collector was of the view that there were no valid reasons or sufficient cause for condoning the inordinate delay in filing the revision.

12. Challenging the order dated 17.01.2023, the petitioners filed W.P.No.2557 of 2023, which was dismissed on 22.08.2025, observing, inter alia, as follows:

"13. Admittedly, the petitioners are claiming the right and tile over the subject matter of the property and the respondents are disputing the same. Unless the issue is settled by the competen Civil Court, the issue cannot be resolved and as correctly noted by the Revisional Authority that the petitioners have not provided any details either in the Memorandum of Revision or in the present Writ Petition, except from a vague assertion that they were unable to seek relief due to the Covid pandemic. The Covid period concluded on 28.02.2022. Therefore, this Court is not inclined to interfere with the decision of the Revisional Authority, and the Writ Petition is liable to be dismissed."

13. Aggrieved by the order dated 22.08.2025, the present writ appeal has been filed.

14. Learned counsel for the appellants submits that there is no question of any delay in filing the revision petition. The petitioner had filed the revision pursuant to the common order dated 07.04.2021 passed in W.P.Nos.7048 and 8795 of 2017, which was passed during the COVID-19 period. The revision was also filed during the COVID-19 period, i.e., on 26.08.2021. Though the revision might not have been filed within the period of four weeks granted by this Court, *vide* order dated 07.04.2021, the said period shall also get extended in view of the judgment of the Hon'ble Apex Court in Miscellaneous Application Nos.21 and 29 of 2022 in Suo Motu Writ Petition (C) No.3 of 2020.

15. Learned counsel for the appellants further submits that even if it be taken that the revision (second revision) was filed on 03.03.2022, it was filed within a period of 90 days from 28.02.2022. Consequently, in view of the directions issued by the Hon'ble Apex Court, the revision was well within the period of limitation. Therefore, the dismissal of the revision by the Joint Collector was not justified, and the learned Single Judge ought not to have dismissed the writ petition, but ought to have allowed the same.

16. Learned counsel for the appellants further submits that, since the matter before the learned Single Judge was confined to the question of limitation, namely, whether the revision was filed within the period of limitation or within the time granted by this Court in the earlier writ petition or not, the learned Single Judge ought not to have made the observations as contained

in the impugned order regarding the inability of the Joint Collector to resolve the issue and for the Civil Court.

17. Learned counsel for respondent No.1 submits that, since the revision was not filed on or before 28.02.2022, but only on 03.03.2022, it was beyond the period of limitation and, therefore, the benefit of the judgment of the Hon'ble Supreme Court in the *suo motu* proceedings was not available to the appellants. Furthermore, the said revision was not filed within the period of four weeks granted by this Court in W.P.Nos.7048 and 8795 of 2017. Therefore, there is no illegality in the impugned order.

18. We have considered the submissions made by the learned counsels for the parties and perused the material available on record.

19. So far as the filing of the revision is concerned, it is not in dispute that the application seeking condonation of delay was filed on 19.02.2022. Learned counsel for the appellants submits that the 2nd revision along with the application was filed on 19.02.2022. He submits that the first revision had already been filed on 26.08.2021.

20. Before proceeding further, it is relevant to mention that in the *suo motu* Writ Petition (C) No.3 of 2020, the Hon'ble Supreme Court had issued the following directions:

> *"I. The order dated 23.03.2020 is restored and in continuation of the subsequent orders dated 08.03.2021,*

27.04.2021 and 23.09.2021, it is directed that the period from 15.03.2020 till 28.02.2022 shall stand excluded for the purposes of limitation as may be prescribed under any general or special laws in respect of all judicial or quasi-judicial proceedings.

II. Consequently, the balance period of limitation remaining as on 03.10.2021, if any, shall become available with effect from 01.03.2022.

III. In cases where the limitation would have expired ***during the period between 15.03.2020 till 28.02.2022*** *notwithstanding the actual balance period of limitation remaining, all persons shall have a limitation period of days from 01.03.2022. In the event the actual balance period of limitation remaining, with effect from 01.03.2022 is greater than* ***90 days****, that longer period shall apply.*

IV. It is further clarified that the period from 15.03.2020 till 28.02.2022 shall also stand excluded in computing the periods prescribed under Sections 23 (4) and 29A of the Arbitration and Conciliation Act, 1996, Section 12A of the Commercial Courts Act, 2015 and provisos (b) and (c) of Section 138 of the Negotiable Instruments Act, 1881 and any other laws, which prescribe period (s) of limitation for institution proceedings, outer limits (within which the court or tribunal can condone delay) and termination of proceedings."

21. The learned Single Judge, while deciding W.P.No.2557 of 2023, has taken into consideration the judgment of the Hon'ble Supreme Court concerning the exclusion of the period of limitation during the COVID-19 pandemic.

22. It appears to us that, the view taken by the learned Single Judge was that, since the period of limitation for challenging the order of the Revenue Divisional Officer before the Joint Collector had neither expired during the COVID-19 period nor had fallen within the period for which the benefit of exclusion was granted by the Hon'ble Supreme Court, the petitioners were not entitled to the benefit of the said judgment, though no such observation was expressly made, it appears that the aforesaid reasoning formed the basis for the observations made in paragraph No.11 of the order dated 22.08.2025 in W.P.No.2557 of 2023, which reads as follows:

> *"11. In the present writ petition, the petitioners, except asserting a general claim that the Supreme Court has excluded the limitation period during the Covid-19 pandemic, have not indicated when they submitted the revision petition to the revisional authority, and urged this Court to allow the writ petition on this basis. The Supreme Court's ruling during the Covid period stated that the time from 15.03.2020 till 28.02.2022 shall be excluded for the purposes of limitation set forth in any general or special laws concerning all judicial or quasi-judicial proceedings."*

23. W.P.No.7048 of 2017 was decided during the COVID-19 pandemic, and four weeks' time was granted to the petitioners to avail the appropriate remedy. The revision was filed firstly on 26.08.2021, though not within the period of four weeks so granted, and so, it appears that the 2nd revision was filed with application dated 19.02.2022. Even if it be taken as

contended by the learned counsel for the respondents that the second revision was registered on 03.03.2022, we are of the view that in view of paragraph No.3 of the judgment of the Hon'ble Supreme Court, referred to hereinabove, the benefit of exclusion of the period for filing revision was available, on the date the revision was filed. It is not in dispute that four (04) weeks period granted vide common order dated 07.04.2021 passed in W.P.Nos.7048 and 8795 of 2017 expired during the period between 15.03.2020 till 28.02.2022.

24. The Hon'ble Supreme Court, in its directions issued during the COVID-19 pandemic, ordered that the period from 15.03.2020 to 28.02.2022 shall stand excluded for the purposes of computation of limitation prescribed under any general or special laws in respect of all judicial and quasi-judicial proceedings and where the limitation would have expired between the aforesaid period, all such persons shall have 90 days from 01.03.2022. The same shall also govern the present case as (i) the W.P.Nos.7048 and 8795 of 2017 against the orders of RDO were already pending in the High Court and were decided on 07.04.2021, during the period between 15.03.2020 to 28.02.2022. So, the period granted to file revision fell during the same period. So, the petitioners were entitled to prefer revision at least within four (04) weeks w.e.f., 28.02.2022.

25. Considering that the revision was filed within the period of limitation, after excluding the COVID-19 period in terms of the directions

issued by the Hon'ble Supreme Court, and also within the time available to the petitioners to avail the remedy, in our view the revision ought to have been considered and decided on merits by the Joint Collector, but taking an erroneous view on limitation, it dismissed the revision as barred by limitation.

26. We are of the further view that, having regard to the directions issued by this Court in W.P.Nos.7048 and 8795 of 2017, vide Common Order dated 07.04.2021, the Joint Collector was legally required to consider and decide the revision on merits. In this regard, we find force in the contention of the appellants' counsel, on perusal of the Common Order dated 07.04.2021.

27. We are of the further view that the only question in the writ petition being if the revision before the Joint Collector was within the limitation or not, there was no occasion to make any observation on any other aspect in the impugned judgment.

28. Consequently, the writ appeal is ***allowed***, and the impugned order dated 22.08.2025 passed in W.P.No.2557 of 2023 is set aside. The order dated 17.01.2023 passed by the Joint Collector & Additional District Magistrate, Kurnool *vide* Proceedings in R.Dis.D5.1349/2021 is also set aside.

29. The proceedings before the Joint Collector, Kurnool are revived, which shall be proceeded with and decided on merits in accordance with law,

with due opportunity to the parties concerned expeditiously, within a period of six (06) weeks from the date a copy of this order is placed before the said Authority.

30. The Joint Collector, Kurnool shall decide the revision on merits without being influenced by any observation made in the writ petition or in this writ appeal.

No order as to costs.

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

RAVI NATH TILHARI, J

ALAPATI GIRIDHAR, J

Date: 26.10.2026
Note : *Issue Certified Copy* ***by 10 (ten) days.***
B/o
RPD.

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THE HONOURABLE SRI JUSTICE RAVI NATH TILHARI
AND

THE HONOURABLE SRI JUSTICE ALAPATI GIRIDHAR

(Allowed)

WRIT APPEAL No.409 of 2026

Date: 26.10.2026

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RPD.