APHC010305662026

IN THE HIGH COURT OF ANDHRA PRADESH
AT AMARAVATI **[3331]**
(Special Original Jurisdiction)

THURSDAY, THE 29th DAY OF OCTOBER 2026

PRESENT

THE HONOURABLE SRI JUSTICE SUBBA REDDY SATTI

WRIT PETITION NO: 16117/2026

Between:

1. PILLA SITA LAKSHMI, W/O. PILLA VELANGINI MARIA JOJI PRASADA RAO, AGED ABOUT 56 YEARS. R/O. D.NO.39-4-12/1/8, BHARGAV ENCLAVE, MURALI NAGAR, VISAKHAPATNAM - 530 007

...PETITIONER

AND

1. THE STATE OF ANDHRA PRADESH, REP BY ITS PRINCIPAL SECRETARY, REVENUE DEPARTMENT, A.P. SECRETARIAT, VELAGAPUDI, AMARAVATHI, GUNTUR DISTRICT-522238
2. THE DISTRICT COLLECTOR, KAKINADA DISTRICT, KAKINADA-533001
3. THE REVENUE DIVISIONAL OFFICER, KAKINADA, KAKINADA DISTRICT-533006
4. THE TAHSILDAR, PRATHIPADU MANDAL, KAKINADA DISTRICT-533432
5. RAMISETTY VEERA VENKATA SATYANARAYANA, S/O CHINNA TAMMA RAO. R/AT D.NO. 3-183, RAMISETTI VARI VEEDHI, VOMMANGI, EAST GODAVARI DISTRICT-533430

...RESPONDENT(S):

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 a Writ of Mandamus declaring the action of the Respondents No. 2 to 4 in taking steps to dispossess the petitioner with respect to land situated in Sy.No.9-2A1 admeasuring an extent of Ac.5.34 cents in Pothuluru Revenue Village of Prathipadu Mandal, Kakinada District as illegal, arbitrary, unsustainable, contrary to the Principles of Natural Justice, violative of Articles 14 and 300-A of the Constitution of India and contrary to the A.P. Rights in Land and Pattadar Pass Books Act, 1971 and consequently direct the Respondents not to dispossess the Petitioner with respect to the subject property except in accordance with the law and pass

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 to direct the Respondents not to dispossess the petitioner from the subject property in Sy.No.9-2A1 admeasuring an extent of Ac.5.34 cents in Pothuluru Revenue Village of Prathipadu Mandal, Kakinada District without following the due process of law and pass

Counsel for the Petitioner:

1. SODUM ANVESHA

Counsel for the Respondent(S):

1. GP FOR REVENUE
2. K.V.S.S.PRABHAKARA RAO

The Court made the following:

::ORDER ::

Heard Sri S. Prahas, learned counsel representing Smt. Sodum Anvesha, learned counsel for the petitioner; Sri Chandra Sekhar, learned Assistant Government Pleader for respondents 1 to 4; and Sri K.V.S.S. Prabhakara Rao, learned counsel for respondent No. 5.

2. The grievance of the petitioner is that respondent No.4 is attempting to dispossess the petitioner from land to an extent of Ac.5-34 cents in Survey No.9-2A1, Pothuluru Revenue Village, Prathipadu Mandal, Kakinada District, without following due procedure.

3. Learned counsel for the petitioner would submit that the petitioner's father, late Ramisetty Chinna Thamma Rao, was the absolute owner of the aforementioned land. Pattadar Passbook was also issued in favour of the petitioner's father vide No.767. Subsequently, he executed a registered Gift Settlement Deed vide document No.1527/2018, dated 27.03.2018, in respect of the aforementioned land. Thereafter, the petitioner applied to update the Record of Rights (RoR) and to issue a Pattadar Passbook and Title Deed in his favour. However, the same was not considered. Hence, the petitioner filed W.P.No.31004 of 2023, and the said writ petition was disposed of on 11.12.2023, directing the respondents therein to consider and dispose of the petitioner's application dated 05.05.2023 and representation dated 09.10.2023.

4. Learned counsel would further submit that pursuant to the order dated 11.12.2023, the authority refused to issue a pattadar passbook in view of pendency of suit O.S.No.251 of 2023 on the file of the learned Junior Civil Judge, Prathipadu, among the family members of the petitioner and issued an endorsement, dated 23.01.2024, to that effect. Aggrieved by the said action, the petitioner filed W.P.No.24985 of 2024. The said writ petition was disposed of on 17.12.2024, setting aside the endorsement dated 23.01.2024. Thereafter, the petitioner's name was updated in the RoR. Later, respondent No.5 filed a suit O.S.No.148 of 2024, on the file of the learned Principal Junior Civil Judge, Prathipadu, by arraying the petitioner's mother as plaintiff.

5. While the things stood thus, respondent No.4 is attempting to dispossess the petitioner from the subject land, without following due procedure.

6. Learned Assistant Government Pleader for Revenue, on instructions, would submit that the dispute is between the petitioner and respondent No.5 and respondent No.4 is not interfering with the extent referred to supra.

7. Given the submissions made by the learned Assistant Government Pleader for Revenue, without going into the other disputed questions of fact, this Writ Petition is disposed of at the admission stage with the consent of learned counsel on either side, directing respondent No.4 not to interfere with the land admeasuring Ac.5-34 cents in Survey No.9-2A1, Pothuluru Revenue Village, Prathipadu Mandal, Kakinada District, without following due process of law.

8. This Court makes it clear that no finding is recorded regarding the title of the petitioner or respondent vis-à-vis the land referred to supra, in view of the pendency of suit O.S.No.148 of 2024 on the file of the learned Principal Junior Civil Judge, Prathipadu. No costs.

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

JUSTICE SUBBA REDDY SATTI

Date: 29.10.2026
IKN