APHC010356872026

IN THE HIGH COURT OF ANDHRA PRADESH
AT AMARAVATI [3330]
(Special Original Jurisdiction)

WEDNESDAY, THE 11th DAY OF NOVEMBER 2026

PRESENT

THE HONOURABLE SRI JUSTICE TARLADA RAJASEKHAR RAO

WRIT PETITION No. 19206/2026

BETWEEN:

1. KASARAGADDA VENKATA NARASAIAH, S/o. PERAIAH, AGED ABOUT 64 YEARS, R/o. 1-39, BANDIPALEM VILLAGE, JAGGIAHPETA MANDAL, NTR DISTRICT, 521178.

...PETITIONER

AND

1. THE STATE OF ANDHRA PRADESH, REP. BY ITS PRINCIPAL SECRETARY, SOCIAL WELFARE DEPARTMENT, SECRETARIAT, VELAGAPUDI, GUNTUR DISTRICT. 522237
2. THE COLLECTOR, NTR DISTRICT, VIJAYAWADA.520002
3. THE REVENUE DIVISIONAL OFFICER CUM MAINTENANCE TRIBUNAL, NANDIGAMA, NTR DISTRICT. 521185.
4. THE TAHSILDAR, JAGGIAHPETA MANDAL, NTR DISTRICT. 521175.
5. KASARAGADDA SEETHA MAHALAKSHMI, W/O PERAIAH, AGED ABOUT 82 YEARS, R/O BANDIPALEM VILLAGE, JAGGIAHPETA MANDAL, NTR DISTRICT, 521178.

...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 a writ, order or direction more particularly one in the nature of writ of Mandamus to declare the impugned order passed by the 3rd Respondent dated 17-03-2026 without following due procedure of law as arbitrary, illegal and contrary to the Andhra Pradesh Maintenance and welfare of parents and senior citizens males 2011 and consequently set aside impugned order dated 17-03-2026 passed by the 3rd Respondent in the interest of justice.

Counsel for the Petitioner:

1. VELADI SAI SRI HARSHA

Counsel for the Respondent(S):

1. GP FOR REVENUE
2. GP FOR SOCIAL WELFARE
3. T B L MURTHY

The Court made the following:

ORDER:

The 5th respondent herein filed an application under Section 5 of the Maintenance and Welfare of Parents and Senior Citizens Act, 2007 (for short hereinafter referred as "Senior Citizens Act, 2007"). As the petitioner herein failed to provide maintenance and financial support to the 5th respondent-senior citizen, the 3rd respondent Tribunal vide order dated 17.03.2026 has directed the 4th respondent to register agriculture land to extent of Ac.1.00 each out of the land allotted to the sons of the 5th respondent, in favourof the 5th respondent, and to record the said transaction in the webland Adangal and to handover the possession of the same to the 5th respondent senior citizen and further directed the petitioner herein and his family members to deposit the amount derived from the agricultural land and to provide medical expenses as long as the senior citizen survives. In addition to that it was directed the writ petitioner not to obstruct the 5th respondent, and to reside to her choice whichever son she chooses.

2. The present Writ Petition is filed challenging the proceedings of the 3rd respondent dated 17.03.2026. Learned counsel for the petitioner eventually stated that the petitioner herein is the senior citizen and the appeal is maintainable under Section 16 of the Senior

Citizens Act, 2007 and sought permission of this Court to permit the petitioner herein to file appeal before the Appellate Tribunal and placed orders in W.P. No.6831 of 2026.

3. This Court disposed of one writ petition placing reliance on the judgment of the Karnataka High Court in the case of ***K. Lokes S/o. Late P Krishna v. Bangalore District Maintenanceand Welfare of Parents and Senior Citizens Appelate Tribunal and Special Deputy Commissioner-1, Ayyappa S/o. late P. Krishna, Assistant Commissioner, Bengaluru South Sub-Division[1],*** wherein the Division Bench while interpreting Section 16(1) of the Senior Citizens Act, 2007, held that the right of appeal is conferred exclusively upon senior citizens or parents, thereby excluding all other individuals, including children or transferees.

4. The petitioner herein is the senior citizen; therefore, the appeal is maintainable under Section 16 (1) of the Senior Citizens Act, 2007. Hence, liberty is granted to the petitioner herein to file appeal before the appellate authority within four weeks from the date of receipt of a copy of the order and the appellate tribunal is directed to entertain the said application and pass appropriate orders in accordance with law.

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[1] 2024 KHC 53004

5. With the above said direction, the writ petition is disposed of. There shall no order as to costs.

As a sequel, interlocutory applications, if any, pending in this writ petition shall stand

JUSTICE TARLADA RAJASEKHAR RAO

Date: 11.11.2026

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THE HON'BLE SRI JUSTICE TARLADA RAJASEKHAR RAO

W.P.No. 19206 OF 2026

Date: 11.11.2026

Harin