APHC010508482026

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

WEDNESDAY, THE 7th DAY OF OCTOBER 2026

PRESENT

THE HONOURABLE SRI JUSTICE SUBBA REDDY SATTI

WRIT PETITION NO: 27670/2026

Between:

1. THOMMANDRU VIJAY, S/O.PANAKALU, AGED ABOUT 53 YEARS, OCC MECHANIC, R/O.17-7/2, SIDDIPETA, MYLAVARAM, NTR DISTRICT,

...PETITIONER

AND

1. THE STATE OF ANDHRA PRADESH, THROUGH THE PRINCIPAL SECRETARY, DEPARTMENT OF REVENUE, SECRETARIAT, VELAGAPUDI, AMARAVATI, GUNTUR DISTRICT-522238.
2. THE DISTRICT COLLECTOR, NTR DISTRICT, VIJAYAWADA-520002.
3. THE TAHSILDAR, MYLAVARAM MANDALAM, MYLAVARAM, NTR DISTRICT-521230.
4. SMT CHOTAPALLI PAPA, W/O. SRINIVASA RAO, AGED MAJOR, OCC. HOUSE WIFE, GOLLAPALLI VILLAGE, NUZVID MANDAL, ELURU DISTRICT. 521201

...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 Writ of MANDAMUS declaring the action of the official Respondents particularly Respondent No.3 under Notice bearing Rc.0/474/2026, dt 07-09-2026 where by proposed to cancel the Gift Deed dt 22-12 2025 executed by the Petitioner in respect of land of an extent of Ac.0 10 cents in Survey No.102 house site in Mylavaram Village, NTR District

without having authority as arbitrary, illegal, capricious violative of Fundamental Rights guaranteed under Article.14, 21 and 300-A of the Constitution of India and consequently set aside the said Notice

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 grant stay of all further proceedings pursuant to the Notice bearing Rc.C/474/2026, dt:07-09-2026 issued by the 3 rd Respondent, pending disposal of the above writ petition

Counsel for the Petitioner:

1. SAI GANGADHAR CHAMARTY

Counsel for the Respondent(S):

1. GP FOR REVENUE

The Court made the following:

ORDER

Heard Sri Sai Gangadhar Chamarty, learned counsel for the petitioner and Sri Chandra Sekhar, learned Assistant Government Pleader for Revenue, for the respondents 1 to 3. Notice in respect of the 4th respondent is dispensed with, since no adverse order is passed affecting his right or interest.

2. Assailing the notice issued by the 3rd respondent-Tahsildar, vide RC.C/474/2026, dated 07.09.2026 (Ex.P1), the above writ petition was filed.

3. Learned counsel for the petitioner would submit that one Ponnuru Lakshmi filed suit O.S.No.44 of 2013 on the file of the Junior Civil Judge, Mylavaram, against the petitioner and others, seeking partition of schedule properties. A preliminary decree was passed on 13.09.2023, allotting 1/5th share to the plaintiff therein and 1/5th share each to the defendants 2, 3 & 5 and 1/5th share to defendants 7 and 8 jointly.

4. Be that as it may, the 4th respondent filed a petition before the 3rd respondent complaining that the petitioner executed a gift deed dated 22.12.2025 in favour of his wife, daughters and son, in respect of Ac.0.10 cents in S.No.102, part of suit schedule property in O.S.No.44 of 2013. The 3rd respondent, acting upon the said complaint, issued notice (Ex.P1).

5. Learned counsel for the petitioner would submit that the 3rd respondent has no jurisdiction to issue the notice.

6. Sri Chandra Sekhar, learned Assistant Government Pleader for Revenue for the respondents 1 to 3, submitted the written instructions of 3rd respondent and the operative portion of the same reads thus:

> "**3. Administrative Action Suspended**: Upon perusing the Civil Court's decree, it became evidence that a partition and title dispute exists among the family members of the petitioner. Recognizing that the matter is purely civil in nature and governed by active Civil Court directions, the Tahsildar, Mylavaram Mandal, immediately suspended all further proceedings and inquiry under the notice dated 07.09.2026. The parties have been left to seek redressal before the appropriate judicial forum, as the revenue authority lacks jurisdiction to adjudicate validly established civil disputes."

7. Along with written instructions, the 3rd respondent also annexed the statement said to have been made by the 4th respondent.

8. Given the written instructions of the 3rd respondent, all further proceedings and inquiry pursuant to Ex.P1 notice have been suspended, and the said instruction is made part of the record. In fact, the 3rd respondent has no jurisdiction to issue Ex.P1 notice. The notice also doesn't contain a provision of law entitling the authority to issue such a notice.

9. Given the facts and circumstances of the case, the notice issued by the 3rd respondent-Tahsildar, *vide* RC.C/474/2026, dated 07.09.2026 (Ex.P1), is hereby set aside.

10. Accordingly, the Writ Petition is Disposed of. No order as to costs.

As a sequel, all the pending miscellaneous applications shall stand closed.

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JUSTICE SUBBA REDDY SATTI

PVD