APHC010583232026

IN THE HIGH COURT OF ANDHRA PRADESH AT AMARAVATI

Bench Sr.No:-2 [3584]

WRIT APPEAL NO: 1248 of 2026

Ganji Venkateswarlu ...Appellant

Vs.

The State of Andhra Pradesh and Others ...Respondents

****

CORAM : THE CHIEF JUSTICE LISA GILL
SRI JUSTICE CHALLA GUNARANJAN

DATE : 3rd November, 2026

Present :

Advocate for Appellant	:	Mr N Ashwani Kumar (through VC) representing Pillix Law Firm
Advocates for Respondents	:	GP for Women Dev., Child Welfare, GP for Home, GP for Revenue

LISA GILL, CJ:

This appeal has been filed for setting aside order dated 28.09.2026 whereby writ petition filed by present appellant – writ petitioner has been disposed of while relegating appellant – writ petitioner to his remedy of appeal under Section 11 of Maintenance and Welfare of Parents and Senior Citizens Act, 2007 [for short, 'the Act'].

2. Admittedly, order dated 08.09.2025 was passed by Revenue Divisional Officer & Tribunal for the Maintenance and Welfare of Parents and Senior Citizens (Act No.56 of 2007) on a petition filed by present appellant seeking cancellation of pattadar passbook vide khata No.1671 in favour of his younger son. Learned Tribunal, while disposing of the petition, directed both the sons to pay maintenance of Rs.5,000/- each to the appellant. It was further observed by learned Tribunal as under:

> ***"It is ordered if the respondents failed to comply the above order, they will be held liable for prosecution U/s.11 of the Act.***
>
> ***Further insisted that the petitioner has to approach any civil court for cancellation of Pattadar Passbook issued vide Khata No.1671 of Kolalapudi Village of Martur Mandal as the matter stood thus before the Principal Junior Civil Judge Court, Addanki in O.S.No.373/2022 and disposed the matter with 'ad-interim injunction" for the said lands in favour of Respondent No.1 in the present case. Thereafter, the necessary steps will be taken for repeal of the Pattadar Passbook in accordance with law.***
>
> ***The present petitioner has the liberty to file an appeal before the Appellate Tribunal within the 60 days from the date of the receipt."***

3. Appellate Tribunal vide order dated 07.03.2026 has upheld the aforesaid order. For implementation of order dated 08.09.2025, appellant filed WP.No.27630 of 2026, which was disposed of vide impugned order dated 28.09.2026.

4. Learned counsel for appellant – writ petitioner submits that appellant would avail his remedy under Section 11 of the Act, however raises a grievance in respect to the observations made by learned Single Bench in paragraph 9 of impugned order, which read as under:

> ***"9. Therefore, the petitioner is directed to file appropriate application under Section 11 of the Senior Citizens Act, 2007, for enforcement of the order dated 08.09.2025, before the 3rd respondent – Tribunal. The Tribunal shall keep it in mind there is no such order cancelling the pattadar passbook vide Katha No.1671 of Kolalapudi Village of Martur Mandal. The Tribunal granted only maintenance. Even the Appellate Authority has not given any specific direction to cancel the pattadar passbook. The order is only for implementation of maintenance. Therefore, both the authorities are directed not to go beyond the order passed under Sections 5 and 16 of the Act."***

5. We have heard learned counsel for appellant but do not find any ground to cause interference in exercise of appellate jurisdiction. It is a matter of record that pattadar passbook has not been cancelled by learned Tribunal

vide order dated 08.09.2025 or by appellate authority vide its order dated 07.03.2026. It is a mere observation which has been made by leaned Single Bench which does not have any effect on proceedings which may be pending in respect to cancellation of pattadar passbook or which may be initiated by appellant. Apprehension raised by learned counsel for appellant in this regard is unfounded.

6. Writ Appeal is accordingly dismissed. No costs.

Pending application(s) if any stand(s) disposed of accordingly.

LISA GILL, CJ

03.11.2026 **CHALLA GUNARANJAN, J**

Vjl

Whether the order is Speaking/Reasoned : Yes / No

Whether the order is Reportable : Yes / No