

IN THE HIGH COURT OF ANDHRA PRADESH: AMARAVATI

HONOURABLE SRI JUSTICE SUBBA REDDY SATTI

WRIT PETITION No.18159 of 2023

Kota Obul Reddy, S/o Pedda Obula Reddy,
aged about 60 years, R/o Sankepalle village,
Kondapuram Mandal, YSR Kadapa District.

... Petitioner.

Versus

The State of Andhra Pradesh, Rep. by the Prl.
Secretary, Endowment Department,
Secretariat, Velagapudi, Amaravati, Guntur
District and six others.

... Respondents.

Counsel for the petitioner : Sri Ravula Nagarjuna

Counsel for respondents 1 to 3 : GP for Endowments

Counsel for respondents 4 to 6 : GP for Revenue

ORDER

The grievance of the petitioner the 2nd respondent is not disposing of *Mee-seva* Application No.TTA012000051378 dated 03.06.2020 filed for issuing NOC and seeking deletion of land of an extent of Ac.0.58 cents in S.No.183/2A situated in Sankepalli village, Kondapuram Mandal, YSR Kadapa District from the prohibited list under Section 22A (1) (c) of the Registration Act, as illegal and arbitrary.

2. a) In the affidavit it was contended *inter alia* that the petitioner is the absolute owner of an extent of Ac.0.58 cents in S.No.183/2A situated in Sankepalli village, Kondapuram Mandal, YSR Kadapa District. Petitioner's name is shown in FLR register of Sankepalli village. The revenue authorities issued pattadar pass book and title deed *vide* Khata No.140.

b) Originally, an extent of Ac.4.68 cents in S.No.183/1 belonged to Sri Anjaneya Swamy Temple; Ac.1.76 cents in S.No.183/2 belonged to the petitioner. In the Sub Division, S.No.183/2A was carved out and Ac.0.58 cents is mentioned. Without conducting enquiry, the authorities notified Ac.0.58 cents under Section 22A(1)(c). On coming to know about the same, petitioner made application through *Mee-seva* Application No.TTA012000051378 seeking deletion, however, the 2nd respondent has not passed order in spite of report submitted to the 2nd respondent by Assistant Commissioner *vide* letter in Rc.No.A4/6030/2019 dated 15.03.2021 and hence, the above writ petition is filed.

3. Heard Sri Ravula Nagarjuna, learned counsel for petitioner, the learned Assistant Government Pleader for

Endowments for respondents 1 to 3 and learned Assistant Government Pleader for Revenue for respondents 4 to 6.

4. As seen from the material papers filed along with the writ petition, the Tahsildar, Kondapuram submitted report to the Revenue Divisional Officer, Jammalamadugu *vide* Ref.No.A/194/2020 dated 04.06.2020. The operative portion of the same reads thus:

“In view of the above, I recommend for elimination of land in Sy.No.183/2A an extent of Ac.0.58 cents of Sankepalle village from the list of 22A(1)(c) as the land is a patta land and it was entered in the list of 22A(1)(c).”

5. The Revenue Divisional Officer, Jammalamadugu addressed letter Ref.No.E/692/2020 dated 29.08.2020 to the Assistant Commissioner, Endowments by enclosing the report of the Tahsildar dated 04.06.2020. The operative portion of the letter reads thus:

“In view of the above, I request you to verify your records and Register and to conform the land in Sy.No.183/2A extent of 0.58 acres of Sankepalle village, Kondapuram Mandal is Endowment land or not and also request you to send the report to this office for taking necessary action in the matter”

6. The Assistant Commissioner, Endowments Department, YSR Kadapa District *vide* Lr.in.Rc.No.A4/3060/2019 dated 15.03.2021 addressed letter to the Commissioner of Endowments by enclosing the report of the Tahsildar and communication of the Revenue Divisional Officer, referred *supra*. Since the 2nd respondent has not passed any order, this writ petition is filed.

7. Learned Assistant Government Pleader for Endowments would submit that the Tahsildar, Kondapuram stated contradictory version in sending the report and the same is pending consideration.

8. As seen from the material placed before this Court, the Assistant Commissioner, Endowments addressed letter dated 15.03.2021 to the Commissioner of Endowments to pass appropriate orders. The 2nd respondent, being competent authority should have passed order in that regard.

9. Since the necessary reports are with 2nd respondent, the 2nd respondent shall pass appropriate orders strictly in accordance with law considering the reports of the concerned officers within a period of two months from today and

communicate the same to the petitioner. The respondents 5 and 6 shall submit report, if any required by the 2nd respondent in this regard.

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

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

JUSTICE SUBBA REDDY SATTI

4th September, 2023

PVD