

**IN THE HIGH COURT OF ANDHRA PRADESH AT AMARAVATI
(SPECIAL ORIGINAL JURISDICTION)**

**TUESDAY, THE SEVENTH DAY OF FEBRUARY
TWO THOUSAND AND TWENTY THREE**

:PRESENT:

**THE HONOURABLE SRI JUSTICE D RAMESH
WRIT PETITION NO: 2964 OF 2023**



Between:

1. Aluri Hari Krishna Chowdary, S/o. Rama Rao,
Aged 50 years, Occ. Business, R/o. D.No.7-24,
Flat No.304, Sai Krishna Towers, One Centre,
Gollapudi, Vijayawada Rural Mandal,
N.T.R.District, Andhra Pradesh.
2. AluriSubba Rao, S/o. Rama Rao,
Aged 54 years, Occ: Business, R/o. Flat No.108,
Sai Priya Gardens, Madhuravada,
Visakhapatnam, Andhra Pradesh.

...Petitioners

And

1. The State of Andhra Pradesh,
Department of Women, Children,
Disabled and Senior Citizens,
Rep. by it's Principal Secretary,
A.P. Secretariat, Velagapudi,
Amaravati, Guntur District, A.P.
2. The Chairman/District Collector,
Appellate Tribunal (Under Act 56/2007),
Vijayawada, N.T.R District, Andhra Pradesh.
3. The Revenue Divisional
Officer/Sub-Collector,
The Tribunal Officer (Under Act 56/2007),
Vijayawada, N.T.R District, Andhra Pradesh.
4. The joint Sub-Registrar,
Sub-Registrar Officer, Ibrahimpatnam,
N.T.R District, Andhra Pradesh.

5. The Mandal Executive Magistrate & Tahsildar,
Vijayawada Rural Mandal, N.T.R. District.
Andhra Pradesh.
 6. The Station House Officer,
Bhavanipuram Police Station,
Vijayawada Rural Mandal,
N.T.R. District. Andhra Pradesh.
 7. AluriSesha Ratnam, W/o. Rama Rao,
Aged about 73 years, R/o. 304, 3rd Floor,
Sai Krishna Apartment, 1 Town,
Gollapudi, Vijayawada Rural Mandal,
N.T.R. District, Andhra Pradesh.
 8. N. Anuradha, W/o. Srinivas,
Aged about 44 Years,
Flat No.203, Sai Krishna Apartments,
Near N.T.R. Statue, Gollapudi, Vijayawada,
N.T.R. District, Andhra Pradesh.
 9. Narra Vasu, S/o.Suryanarayana,
Aged 52 years, President, Gollapudi Telugu Desam Party,
R/o. Door No.22-3, Sai Puram Colony Road,
Gollapudi, Vijayawada Rural Mandal,
N.T.R. District, Andhra Pradesh.
- ...Respondents

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 appropriate Writ, Order or Direction more particularly one in the nature of Writ of Mandamus declaring of (A) The Proceedings RC No. AT/20/2022, Dated 17.01.2023 of the 2nd Respondent/District Collector, (B) Declaring proceedings RC No. AT/ 20/2022 dated 17.01.2023 of the 2nd Respondent (C) Declaring the Order RC No.2/2020/2022 Dated 20.04.2022 passed by the 3rd Respondent/Revenue Divisional Officer, (D) Declaring the letter RC No. AT 20/2022 Dated 18.01.2023 by the 2nd Respondent/District Collector,(E) Declaring the order in Letter No. SRO/IBPM/2023, Dated 18.01.2023 passed by the 4th Respondent/Joint Sub-Registrar including incorporation of the cancellation in the encumbrance and the Panchanama Proceedings Dated 19.01.2023 passed by the 5th Respondent/Tahsildar as contrary to law, illegal, arbitrary, against the principles of natural justice, without jurisdiction and vitiated by malafides and consequently direct the Respondents to recall the cancellation of Gift Deeds and to handover the possession of the property to 1st Petitioner.

IA NO: 1 OF 2023

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 suspend the (A) The Proceedings RC No. AT/20/2022, Dated 17.01.2023 of the 2nd Respondent/District Collector, (B) proceedings RC No. AT/20/2022 dated 17.01.2023, (C) the Order RC No. 2/2020/2022 Dated 20.04.2022 passed by the 3rd Respondent/Revenue Divisional Officer, (D) the letter RC No. AT 20/2022 Dated 18.01.2023 by the 2nd Respondent/District Collector, (E) the order in Letter No. SRO/IBPM/2023, Dated 18.01.2023 passed by the 4th Respondent/Joint Sub-Registrar including incorporation of the cancellation in the encumbrance and the Panchanama Proceedings Dated 19.01.2023 passed as per the directions of the 5th Respondent/Tahsildar, pending disposal of WP 2964 of 2023, on the file of the High Court.

IA NO: 2 OF 2023

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 Respondent authorities to restore the possession of the H.No.7-35/1, (old H.No.7-24) Survey No.538/1, extent of 0.30 cents or 1452.65 sq.yds, of Gollapudi, Vijayawada Rural Mandal, N.T.R. District, A.P forth with to the 1st Petitioner herein, pending disposal of WP 2964 of 2023, on the file of the High Court.

The petition coming on for hearing, upon perusing the Petition and the affidavit filed in support thereof and upon hearing the arguments of Sri POSANI AKASH Advocate for the Petitioners and of GP FOR WOMEN DEV CHILD WELFARE for the Respondent No.1 and GP FOR REVENUE for the Respondent Nos.2 to 5, GP FOR HOME for the Respondent No.6, the Court made the following.

ORDER:

“Learned counsel for the petitioners is permitted to take out personal notice to respondent Nos.7, 8 and 9 by RPAD and file proof of service in the Registry.

Since, the orders dated 17.01.2023 and 18.01.2023 have already been acted upon and the 4th respondent has already cancelled the gift deeds which were executed by respondent Nos.7 and 8 infavour of the 1st petitioner, respondents are directed not to make any third party interest with regard to the subject property.

Post after two weeks.”

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**Sd/- M. SRINIVAS
ASSISTANT REGISTRAR**

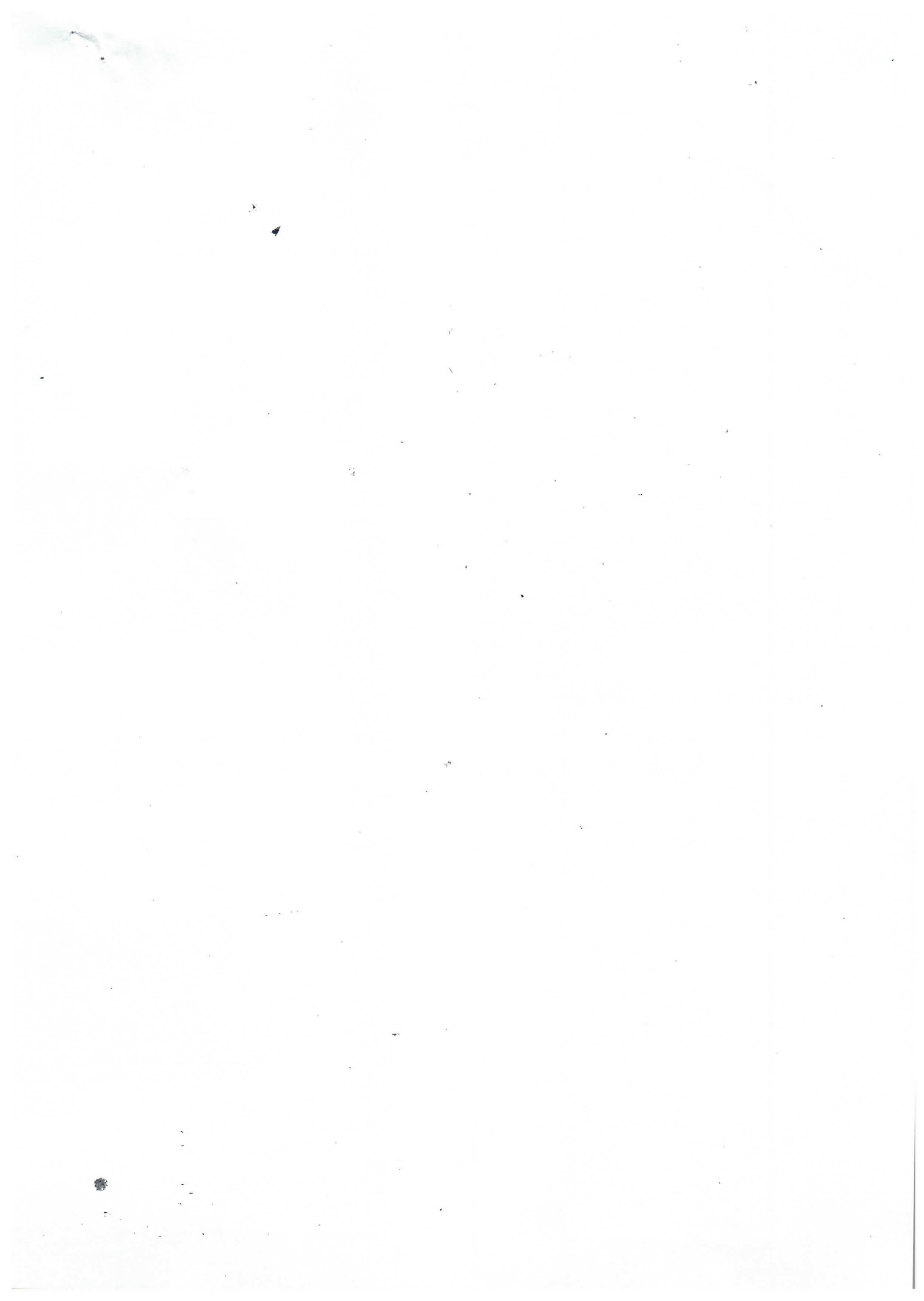
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SECTION OFFICER

To,

1. The Principal Secretary, Department of Women, Children, Disabled and Senior Citizens, State of Andhra Pradesh, A.P. Secretariat, Velagapudi, Amaravati, Guntur District, A.P. (by RPAD)
2. The Chairman/District Collector, Appellate Tribunal (Under Act 56/2007), Vijayawada, N.T.R District, Andhra Pradesh. (by RPAD)
3. The Revenue Divisional Officer/Sub-Collector, The Tribunal Officer (Under Act 56/2007), Vijayawada, N.T.R District, Andhra Pradesh. (by RPAD)
4. The Joint Sub-Registrar, Sub-Registrar Officer, Ibrahimpatnam, N.T.R District, Andhra Pradesh. (by RPAD)
5. The Mandal Executive Magistrate and Tahsildar, Vijayawada Rural Mandal, N.T.R. District. Andhra Pradesh. (by RPAD)
6. The Station House Officer, Bhavanipuram Police Station, Vijayawada Rural Mandal, N.T.R. District. Andhra Pradesh. (by RPAD)
7. AluriSesha Ratnam, W/o. Rama Rao, Aged about 73 years, R/o. 304, 3rd Floor, Sai Krishna Apartment, 1 Town, Gollapudi, Vijayawada Rural Mandal, N.T.R. District, Andhra Pradesh. (by RPAD)
8. N. Anuradha, W/o. Srinivas, Aged about 44 Years, Flat No.203, Sai Krishna Apartments, Near N.T.R. Statue, Gollapudi, Vijayawada, N.T.R. District, Andhra Pradesh. (by RPAD)
9. Narra Vasu, S/o.Suryanarayana, Aged 52 years, President, Gollapudi Telugu Desam Party, R/o. Door No.22-3, Sai Puram Colony Road, Gollapudi, Vijayawada Rural Mandal, N.T.R. District, Andhra Pradesh. (by RPAD)
10. One CC to SRI. POSANI AKASH Advocate [OPUC]
11. Two CCs to GP FOR WOMEN DEV CHILD WELFARE, High Court of Andhra Pradesh. [OUT]
12. Two CCs to GP FOR HOME, High Court of A.P. [OUT]
13. Two CCs to GP FOR REVENUE, High Court of A.P. [OUT]
14. One spare copy

NPC



HIGH COURT

DRJ

DATED:07/02/2023

POST AFTER TWO WEEKS

ORDER

WP.No.2964 of 2023

DIRECTION

