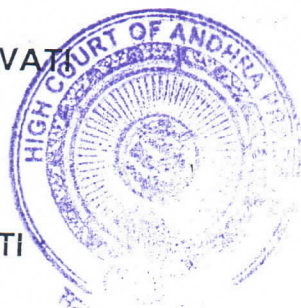


IN THE HIGH COURT OF ANDHRA PRADESH AT AMARAVATI

FRIDAY, THE TWENTY SECOND DAY OF MARCH  
TWO THOUSAND AND TWENTY FOUR

:PRESENT:

THE HONOURABLE SRI JUSTICE RAVI CHEEMALAPATI



IA No. 1 OF 2024

IN

WP NO: 7225 OF 2024

Between:

Bhavya Cements Private Limited, Registered Office at Tangeda Village, Dachepalli Mandal, Palnadu District Rep.by its Authorized Signatory Vakalapudi Ramabrahmam, S/o Venkata Rao, aged about 48 years. Assistant General Manager, R/o Tangeda Village, Dachepalli and Mandal, Guntur District, now Palnadu District

AND

...Petitioner

1. State of Andhra Pradesh, Rep. by its Principal Secretary to Revenue Department, Secretariat, Velagapudi, Amaravati.
2. The Collector and District Magistrate, Palnadu District, Narasaraopet, Guntur District, now Palnadu District
3. The Revenue Divisional Officer, Gurazala, Guntur District, Now Palnadu District.
4. The Tahsildar, , Dachepalli Mandal, Dachepalli, Guntur District, Now Palnadu District
5. Gunji Pothuraju, S/o Peda Sambaiah, aged about 38 years, R/o Tangeda Village, Dachepalli Mandal, Guntur District, now Palnadu District
6. Challa Yesuratnam, S/o Venkataiah, aged about 53 years, R/o Narayanapuram, Nadikudi, Dachepalli Mandal, Guntur District, now Palnadu District

...Respondents

— Counsel for the Petitioner

:SRI VENKATA DURGA RAO ANANTHA

— Counsel for the Respondent Nos.1 to 4 :GP FOR REVENUE

— Petition under Section 151 of CPC is filed praying that in the circumstances stated in the affidavit filed in support of the petition, the High Court may be pleased to direct the 4<sup>th</sup> Respondent not to enter the 6<sup>th</sup> Respondent's name in Web Land Entry/Online Revenue Entry in respect of petitioner's land admeasuring an extent of Ac 2.18 cents in Survey No. 1039/1 situate at Tangeda Village, Dachepalli Mandal, Guntur District, now Palnadu District, Pending disposal of WP No. 7225 of 2024, on the file of the High Court.

— The court while directing issue of notice to the Respondents herein to show cause as to why this application should not be complied with, made the following order.(The receipt of this order will be deemed to be the receipt of notice in the case).

— ORDER:

Heard Sri A. Venkata Durga Rao, learned Counsel for the petitioner.

Learned counsel for the petitioner, in elaboration to what has been stated in the affidavit contended that, the petitioner company is the absolute owner and possessor of the land an extent of Ac.5.45 cents in Survey No. 1052/1, 1052/2, 1052/3, 1052/4, 1053/3, 1053/4, 1039/1, 1039/3, 838/43E and 1050/2 of Tangeda village, Dachepalli Mandal, Guntur District, (now Palnadu District), having purchased the same under a registered sale deed vide document No.5550/2007 for a valid consideration and since the date of purchase, the petitioner company is in peaceful possession and enjoyment of the same without any interruption. The petitioner company got mutated its name in the revenue records. To substantiate the same, the petitioner company filed copies of 1-B (ROR), Adangal and pattadar passbook and the Mutation Certificate. He further contended that without issuing any notice, the respondent authorities removed the name of the petitioner company in respect of the land an extent of Ac.2.18 cents in Survey No.1039/1 in the Webland online entry and shown the name of the 5<sup>th</sup> respondent at the instance of some third parties. Taking advantage of the same, the 5<sup>th</sup> respondent sold the subject property to the 6<sup>th</sup> respondent and now the respondent authorities are contemplating to incorporate the name of the 6<sup>th</sup> respondent. If they are allowed to incorporate the name of the 6<sup>th</sup> respondent in the Webland online entry, it would affect the rights of the petitioner company over the subject land. If at all the respondents are intend to incorporate the name of the 6<sup>th</sup> respondent, they have to follow the provisions of the A.P. Rights in Land and Pattadar Pass Books Act, 1971 and the Rules made thereunder.

In the present case, without following the provisions of the Act, 1971, the respondents are already incorporated the name of the 5<sup>th</sup> respondent and now they are trying to incorporate the name of the 6<sup>th</sup> respondent in respect of the subject land. As such, the petitioner company prayed to pass appropriate orders.



Copies of Adangal, 1-B register and the passbook would, prima facie, show the name of the petitioner company as possessor of the subject land. Whether the revenue authorities, before incorporating the name of the 5<sup>th</sup> respondent, have followed the provisions of the ROR Act, 1971 and the Rules made thereunder or not, a detailed counter is required to be invited. As rightly contended by the learned counsel for the petitioner, in the meantime, if the respondent authorities are allowed to incorporate the name of the 6<sup>th</sup> respondent, it not only affect the rights of the petitioner company, but also leads to multifarious litigation.

Therefore, in order to meet the ends of justice, the respondents are directed to put the subject property in the Dispute Register.

//TRUE COPY//

Sd/- B. CHITTI JOSEPH  
ASSISTANT REGISTRAR

As

SECTION OFFICER

For Assistant Registrar

To,

1. The Principal Secretary to Revenue Department, State of Andhra Pradesh, Secretariat, Velagapudi, Amaravati.
2. The Collector and District Magistrate, Palnadu District, Narasaraopet, Guntur District, now Palnadu District
3. The Revenue Divisional Officer, Gurazala, Guntur District, Now Palnadu District.
4. The Tahsildar, Dachepalli Mandal, Dachepalli, Guntur District, Now Palnadu District
5. Gunji Pothuraju, S/o Peda Sambaiah, aged about 38 years, R/o Tangeda Village, Dachepalli Mandal, Guntur District, now Palnadu District
6. Challa Yesuratnam, S/o Venkataiah, aged about 53 years, R/o Narayanapuram, Nadikudi, Dachepalli Mandal, Guntur District, now Palnadu District (Addressees 1 to 6 By RPAD)
7. One CC to SRI. VENKATA DURGA RAO ANANTHA Advocate [OPUC]
8. Two CCs to GP FOR REVENUE, High Court of Andhra Pradesh. [OUT]
9. One spare copy

PSR

HIGH COURT

RC,J

DATED:22/03/2024

NOTE: POST ON 12.04.2024 IN THE MOTION LIST.

ORDER

IA No. 1 OF 2024  
IN  
WP NO: 7225 OF 2024

INTERIM DIRECTION

