

IN THE HIGH COURT OF ANDHRA PRADESH :: AMARAVATI

(Special Original Jurisdiction)

THURSDAY, THE NINTH DAY OF MAY
TWO THOUSAND AND TWENTY FOUR

PRESENT

THE HONOURABLE DR JUSTICE K MANMADHA RAO

WRIT PETITION NO: 15199 OF 2023



Between:

M Sulochana, W/o Reddappa, aged about 45 Years, R/o Pallavolu Village,
Gadi Post, Kalikiri Mandal, Chittoor District

...PETITIONER

AND

1. The State of Andhra Pradesh, rep., by its Principal Secretary, Revenue Department, Secretariat, Velagapudi, Amaravati Capital City, Guntur District.
2. The District Collector, Annamayya District, Rayachoti.
3. The Revenue Divisional Officer/ Sub Collector, Madanapalle, Annamayya District.
4. The Tahsildar, Kalikiri Mandal, Kalikiri, Annamayya District

...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 an appropriate Writ, Order or Direction more particularly in the nature of Writ of Mandamus declaring the action of the 2nd Respondent in not taking any steps in pursuance of the report submitted by the 4th Respondent vide proceedings Roc.B/78/2023 dated 16-05-2023, as arbitrary, illegal, in violation of Article 14, 21 and 300A of the Constitution of India and also in violation of the provisions of the Board Standing Orders, and consequently direct the 2nd Respondent to take appropriate action in accordance with law in pursuance of the report submitted by the 4th Respondent vide Proceedings Roc.B/78/2023 dated 16-05-2023.

IA NO: 1 OF 2023

Petition under Section 151 CPC praying that in the circumstances stated in the affidavit filed in support of the writ petition, the High Court may be pleased to direct the 2nd Respondent to take appropriate action in accordance with law in pursuance of the report submitted by the 4th Respondent vide Proceedings Roc.B/78/2023 dated 16-05-2023 pending disposal of the above writ petition.

Counsel for the Petitioner: SRI SUBBA RAO KORRAPATI

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

The Court made the following: ORDER



IN THE HIGH COURT OF ANDHRA
PRADESH
AT AMARAVATI
(Special Original Jurisdiction)

[3310]

THURSDAY, THE NINTH DAY OF MAY
TWO THOUSAND AND TWENTY FOUR

PRESENT
THE HONOURABLE DR JUSTICE K MANMADHA RAO

WRIT PETITION NO: 15199/2023

Between:

M.Sulochana

...PETITIONER

AND

The State Of Andhra Pradesh and Others ...RESPONDENT(S)

Counsel for the Petitioner:

1. SUBBA RAO KORRAPATI

Counsel for the Respondent(S):

1. GP FOR REVENUE

The Court made the following Order:

This writ petition is filed under Article 226 of the
Constitution of India seeking the following relief:

“...to issue an appropriate Writ, Order or Direction more particularly in the nature of Writ of Mandamus declaring the action of the 2nd respondent in not taking any steps in pursuance of the report submitted by the 4th respondent vide proceedings Roc.B/78/2023 dated 16-05-2023, as arbitrary, illegal, in violation of Article 14,21 and 300A of the Constitution of India and also in violation of the provisions of the Board Standing Orders, and consequently direct the 2nd respondent to take appropriate action in accordance with law in pursuance of the report submitted by the 4th respondent vide proceedings Roc.B/78/2023 dated 16-05-2023...”

2. Heard Sri Subba Rao Korrapati, learned counsel for the petitioner and learned Assistant Government Pleader for Revenue.

3. The grievance of the petitioner in this writ petition is that in pursuance of the orders, dated 07.12.2021 passed by this Court in W.P.No.27199 of 2021, wherein a direction was issued to the respondents 3 and 4 to look into the issue raised by the petitioner and to complete the enquiry and take necessary action in line with the recommendations, dated 29.09.2021 strictly in accordance with law within a period of six weeks from the date of receipt of the copy of the order, the 2nd respondent vide Ref.No.E1/1645/2022, dated 14.12.2022 requested the 3rd respondent to take necessary steps for completion of enquiry by following due process of law and in turn, the 3rd respondent vide proceedings in Roc.B1/2717/2022, dated 26.12.2022 and Roc.No.B1/2717/2022, dated 17.04.2023 requested the 4th respondent to enquire into the issue of the petitioner. Later the 4th respondent submitted report vide Roc.No.B78/2023, dated 16.05.2023 to the 2nd respondent contending that the petitioner herein is the descendant of the original assignee and requested to hold an enquiry over the subject property and pass appropriate orders for cancellation of irregular assignments but no appropriate steps has been taken by the 2nd respondent so far.

4. Learned counsel for the petitioner limited his prayer by seeking a direction of this Court to the 2nd respondent to take appropriate steps pursuant to the report submitted by the 4th respondent vide proceedings, dated Roc.No.B78/2023, dated 16.05.2023 and pass appropriate orders within a stipulated period.

5. Learned Assistant Government Pleader for Revenue reported no objection for the same.

6. In view of the submissions of the learned counsel on both sides, I need not decide the truth or otherwise of the allegations made in the petition. This Court is conscious that no such direction be issued, in view of the judgment of the Apex Court in **The Government of India v. P.Venkatesh**¹, wherein the Apex Court held that such orders may make for a quick or easy disposal of cases in overburdened adjudicatory institutions, but, they do no service to the cause of justice.

7. In the result, the Writ Petition is disposed of, while directing the 2nd respondent to take appropriate steps pursuant to the report submitted by the 4th respondent vide proceedings, dated Roc.No.B78/2023, dated 16.05.2023 and pass appropriate orders thereon, in accordance with law,

¹ 2019 (8) SCALE 544

within a period of three months from the date of receipt of a copy of this order. There shall be no order as to costs.

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

REGISTRAR

//TRUE COPY//



SECTION OFFICER

To,

1. The Principal Secretary, Revenue Department, State of Andhra Pradesh, Secretariat, Velagapudi, Amaravati Capital City, Guntur District.
2. The District Collector, Annamayya District, Rayachoti.
3. The Revenue Divisional Officer/ Sub Collector, Madanapalle, Annamayya District.
4. The Tahsildar, Kalikiri Mandal, Kalikiri, Annamayya District
5. One CC to Sri Subba Rao Korrapati, Advocate [OPUC]
6. Two CCs to GP for Revenue, High Court of Andhra Pradesh. [OUT]
7. Three CD Copies.

ssb

HIGH COURT

DATED:09/05/2024

ORDER

WP.No.15199 of 2023



DISPOSING OF THE W.P. WITHOUT COSTS