



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

[3525]

MONDAY, THE TWENTY FOURTH DAY OF MARCH  
TWO THOUSAND AND TWENTY FIVE

**PRESENT**

**THE HONOURABLE SRI JUSTICE R RAGHUNANDAN RAO**

**THE HONOURABLE DR JUSTICE K MANMADHA RAO**

**WRIT PETITION NO: 20049/2021**

**Between:**

Valluri Danial

**...PETITIONER**

**AND**

The State Of Andhra Pradesh and Others

**...RESPONDENT(S)**

**Counsel for the Petitioner:**

1. REGULAGADDA VENKATESH

**Counsel for the Respondent(S):**

1....

2. D BALAKRISHNAIAH

3. S LAKSHMINARAYANA REDDY

4. GP FOR LAW LEGISLATIVE AFFAIRS

**The Court made the following order:** *(per Hon'ble Sri Justice R Raghunandan Rao)*

The dispute in the present Writ Petition relates to Ac.0.46 cents of agricultural land in Sy.No.152 of Thotlavalluru Village and Mandal, Krishna District.

2. The case of the petitioner is that one Smt. P. Indira Kumar, the mother of respondents 4 to 7, who is also the wife of 8<sup>th</sup> respondent, was the original owner of the land. She transferred this land to Sri A. Pothuraju, by way of an agreement of sale, dated 11.02.1987. Sri A. Pothuraju transferred this land to Smt. K. Jyothi, by way of an agreement of sale, dated 19.06.1988. Thereafter, Smt. K. Jyothi transferred this land to the petitioner, by way of an agreement of sale, dated 18.05.1993.

3. The petitioner also states that he was put in possession of the land, under this agreement of sale, and continues to remain in possession of the land. In the year 2008, after a period of 15 years, the 7<sup>th</sup> respondent, who is the son of the original owner, Smt. P. Indira Kumari, had filed O.S.No.1849 of 2008, in the Court of Learned III Additional Junior Civil Judge, Vijayawada, for a permanent injunction against the petitioner herein. This suit came to be dismissed on 09.08.2011, on the ground that the 7<sup>th</sup> respondent failed to prove his possession over the said land and on the ground that there was no cause of action.

4. The 7<sup>th</sup> respondent is said to have filed a separate suit, bearing O.S.No.1015 of 2013, before the Learned VII Additional Senior Civil Judge, Vijayawada, for declaration of title, possession and mesne profits. This suit came to be dismissed on 10.12.2018, on the ground that the 7<sup>th</sup> respondent, failed to prove title and possession over the land. Aggrieved by this Judgment and decree, the 7<sup>th</sup> respondent filed A.S.No.46 of 2019, before the Learned XII

Additional District Judge, Vijayawada. This Appeal was withdrawn by the 7<sup>th</sup> respondent on 22.09.2020.

5. After having failed in two rounds of litigation, the 7<sup>th</sup> respondent and the children of late Smt. P. Indira Kumari, came up with a new litigation, bearing O.S.No.461 of 2020, filed before the Learned II Additional Junior Civil Judge, Vijayawada. Infact, the suit was filed even before the appeal was withdrawn. This suit is a suit for partition, filed between the three daughters, the son and the husband of late Smt. P. Indira Kumari. Thereafter, without impleading the petitioner in the suit, the parties to O.S.No.461 of 2020 had entered into a compromise and the same was recorded as an award of the Lok Adalat on 26.09.2020, by the Lok Adalat conducted by the Mandal Legal Services Committee, Vijayawada.

6. The petitioner has now approached this Court, by way of this Writ Petition, contending that the filing of O.S.No.461 of 2020 and the subsequent Lok Adalat award, dated 26.09.2020, are collusive proceedings, created for the purpose of obtaining rights over the land in question, even though the original owner, late Smt. P. Indira Kumari, had sold away the property and none of her family members would have any right over the said property. The petitioner would also contend that the property in the suit is in Thotlavalluru Village and Mandal which is outside the jurisdiction of the Mandal Legal Services Committee, Vijayawada, and consequently, the Lok Adalat, constituted by the said Legal Services Committee, cannot record the award in

relation to the land which is not within the territorial jurisdiction of the said Committee.

7. The petitioner apprehends that respondents 4 to 8, under the guise of the award, dated 26.09.2020, would dispossess the petitioner from the said land.

8. Heard Sri R. Venkatesh, learned counsel for the petitioner and Sri D. Balakrishnaiah, Sri K. Ravi Kiran Kumar, Sri S. Sharat Babu and Sri S. Lakshmi Narayana Reddy, learned Standing Counsel appearing for the Legal Services Committee.

9. Sri K. Ravi Kiran Kumar, learned counsel appearing for the 7<sup>th</sup> respondent would submit that the petitioner had filed O.S.No.134 of 2020, before the Learned Junior Civil Judge, Vuyyuru, for a permanent injunction, restraining the respondents in this Writ Petition from interfering with his possession over the land. It is submitted that, in that view of the matter, the interests of the petitioner are fully protected and in any event, steps are not being taken for forcible dispossession outside the process of law.

10. This Court is not going into the aforesaid question in as much as the award passed by the Lok Adalat, dated 26.09.2020, does not bind the petitioner, in any manner, as he is not a party to the said award. It would always be open to the petitioner to raise all objections for any steps taken for execution of the said award. Apart from this, the petitioner has also moved

O.S.No.134 of 2022 before the Learned Junior Civil Judge, Vuyyuru. In such circumstances, it would be appropriate to dispose of this Writ Petition.

11. Accordingly, this Writ Petition is disposed of. There shall be no order as to costs.

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

---

**R RAGHUNANDAN RAO, J**

---

**Dr. K MANMADHA RAO, J**

Date: 24.03.2025  
MJA

142

**THE HONOURABLE SRI JUSTICE R RAGHUNANDAN RAO**  
**AND**  
**THE HONOURABLE SRI JUSTICE Dr. K MANMADHA RAO**

**WRIT PETITION No: 20049 of 2021**

*(per Hon'ble Sri Justice R Raghunandan Rao)*

**24.03.2025**

**MJA**