



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

[3505]

MONDAY ,THE FIFTH DAY OF MAY
TWO THOUSAND AND TWENTY FIVE

PRESENT

THE HONOURABLE SRI JUSTICE T.C.D.SEKHAR

WRIT PETITION NO: 15778/2021

Between:

Chakali Eranna,

...PETITIONER

AND

State Of Andhra Pradesh and Others

...RESPONDENT(S)

Counsel for the Petitioner:

1.CHAKRADHARA RAJA Y

Counsel for the Respondent(S):

1.GP FOR REVENUE

WRIT PETITION NO: 24918/2020

Between:

Chakalai Eranna,

...PETITIONER

AND

State Of Andhra Pradesh and Others

...RESPONDENT(S)

Counsel for the Petitioner:

1.CHAKRADHARA RAJA Y

Counsel for the Respondent(S):

1.GP FOR REVENUE

The Court made the following common order:

The subject matter in both the writ petitions is one and the same, they are being disposed of by this Common Order.

WP No.24918 of 2020.

2. It is the case of the petitioner that, land admeasuring an extent of Ac.1.63 cents in Sy.No.200-2 of Nadikairavadi Village, Nandavaram Mandal, Kurnool District, is inherited by him. It is further stated that, the name of his grandfather and after his demise, the name of his father was mutated in revenue records and they were also issued pattadar passbooks and title deeds in respect of subject lands. It is further case of the petitioner that, after the demise of his father, he approached the 4th respondent seeking to mutate his name in revenue records and accordingly, his name was incorporated by issuing pattadar passbooks and title deeds.

3. It is stated that on 02.11.2020, the 4th respondent along with staff tried to interfere with the possession of the petitioner over the subject land, when the same was questioned, it was informed to him that, the subject land is required for distribution of house site pattas to the eligible beneficiaries. In pursuance thereof, the petitioner issued legal notices dated 06.11.2020 and

10.12.2020 to the respondents stating that, he is the absolute owner and possessor of the subject land. It is further stated that, without issuing any reply to the said notice, the 4th respondent continued to interfere with his possession, without following the due process of law. Questioning the said action, he preferred the present writ petition.

4. On the other hand, the 4th respondent filed counter affidavit stating that, notification dated 03.12.2009 under Section 4(1) of Land Acquisition Act, 1894, was issued to acquire the subject land. Thereafter, declaration under Section 6 of the said Act was issued on 05.12.2009. It is further stated that, notices under Section 9(1) and 10 of the said Act was issued on 18.02.2010, to the father of the petitioner. It is further stated that, despite issuance of the same nobody turned up and thereafter award was passed in Award No.3/HS/2010, dated 13.04.2010, by following the procedure contemplated under the said Act and the compensation amount was deposited in Revenue Deposits with Sub-Treasury, Adoni *vide* Challan No.27030, dated 24.03.2011. In view of the said contentions, it is stated that, the question of dispossessing the petitioner does not arise as the land was acquired long ago and the same vest with the government.

WP No.15778 of 2021.

The above writ petition is filed, questioning the action of the 4th respondent in trying to issue pattadar passbook in favor of respondent Nos.5 to 14 in respect of land admeasuring an extent of Ac.1.63 cents in Sy.No.200-2 of Nadikairavadi Village, Nandavaram Mandal, Kurnool District, without notice to him and without paying compensation.

2. It is the case of the petitioner that the 4th respondent is trying to issue pattadar passbooks over the subject land in favor of respondent Nos.5 to 14 on the ground that the subject land is already acquired without issuing any notice to him and without paying compensation.

3. On the other hand, the 4th respondent filed counter affidavit stating that, the petitioner was never in possession of the subject lands. It is further stated that, some of the unofficial respondents made a representation to conduct survey and demarcate the land in dispute, when the same is under consideration, the petitioner rushed to this court by filing the present writ petition. It is further stated that, the subject land was already acquired and by suppressing the same, the petitioner filed the present writ petition.

4. Heard counsel for the petitioner and learned Assistant Government Pleader for Revenue.

5. The counsel for petitioner would strenuously contend that, the entire proceedings initiated under Land Acquisition Act is vitiated as the same was issued as against the deceased father of the petitioner. *Per contra*, the learned Assistant Government Pleader for Revenue would submit that, as on the date of initiation of land acquisition proceedings, the name of the father of the petitioner was shown as pattadar in revenue records and therefore his name was rightly shown in all the proceedings under land acquisition. Further, it is contended that despite issuance of notices under Section 9(1) and 10 of the said Act, nobody appeared before the Land acquisition Officer and therefore an award was passed and the compensation was deposited in revenue deposits vide challan No.27030, dated 24.03.2011.

6. It is not dispute that the subject land was acquired and award was passed on 13.04.2010. On perusal of the revenue records viz Form 1B and adangal dated 04.10.2018, the name of the petitioner's father was shown as pattadar in respect of subject lands. The said copies are filed by the petitioner along with the writ petition. From the above it is clear that, the name of the

petitioner was not mutated in the revenue records as on the date of initiating land acquisition proceedings against the subject lands. Therefore, the contention of the petitioner cannot be countenanced. Further, it is specifically stated in the counter affidavit that the petitioner is not in possession of the subject land and the same is not denied by the petitioner by filing a reply affidavit nor anything is placed on record to show that he is in possession of the subject property.

7. From the above it is clear that, the subject land was acquired long ago and award was passed on 13.04.2010 and the compensation amount is deposited in revenue deposits at Sub-Treasury, Adoni *vide* challan No.27030 dated 24.03.2011. It is pertinent to mention after passing of award, the land vested with the government. Despite having knowledge about the acquisition proceedings, the petitioner did not challenge the same and thereby the land acquisition proceedings initiated by the respondents attained finality.

8. In view of the same, there are no merits in the writ petitions and accordingly the same are dismissed.

There shall be no order as to costs. As a sequel, pending applications, if any, shall stand closed.

JUSTICE T.C.D.SEKHAR

Dt.05.05.2025
DSB

323**THE HON'BLE SRI JUSTICE T.C.D.SEKHAR****W.P.Nos.15778 of 2021 & 24918 OF 2020****Date: 09.05.2025****U***DSB*