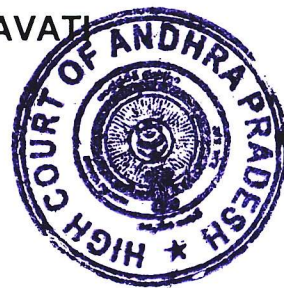


IN THE HIGH COURT OF ANDHRA PRADESH::AMARAVATI
(Special Original Jurisdiction)



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

PRESENT

THE HONOURABLE SRI JUSTICE T.C.D.SEKHAR

WRIT PETITION NO: 15778 OF 2021 AND 24918 OF 2020

WRIT PETITION NO: 15778 OF 2021

Between:

Chakali Eranna, S/o Late Madanna, aged about 54 years, Occupation Agriculture, resident of H. No. 2, Ibrahimpuram Village, Nandavaram Mandal, Kurnool District, A.P.

...Petitioner

AND

1. State of Andhra Pradesh, represented by the Principal Secretary, Revenue Department, Secretariat, Velagapudi-522 237(A.P.), Guntur District, A.P.
2. District Collector, Kurnool District, KURNOOL-518 001(A.P.)
3. Revenue Divisional Officer, ADONI-518 301(A.P.), Kurnool District.
4. Tahsildar, Nandavaram Mandal, NANDAVARAM-518 345(A.P.), Kurnool District.
5. Chakali Bajarappa, S/o Ankalappa, aged about 64 Years, Occupation Retired Agriculture, resident of H. No. 2/23, Ibrahimpuram-518 343(A.P.), Nandavaram Mandal, Kurnool District, A.P.
6. Chakali Venkatesh, S/o Bajarappa, aged about 32 years, Occupation Agriculturist, resident of H. No. 2/23, Ibrahimpuram-518 343(A.P.), Nandavaram Mandal, Kurnool District, A.P.
7. Chakali Sudhakar, S/o Bajarappa, aged about 37 years, Occupation Agriculturist, resident of H. No. 2/23, Ibrahimpuram-518 343(A.P.), Nandavaram Mandal, Kurnool District, A.P.
8. Chakali Sashidhar, S/o Bajarappa, aged about 34 years, Occupation R.M.P. Doctor, resident of H. No. 2/23, Ibrahimpuram-518 343(A.P.), Nandavaram Mandal, Kurnool District, A.P.
9. Chakali Raghavendra, S/o Bajarappa, aged about 42 years, Occupation Agriculturist, resident of H. No. 2/23, Ibrahimpuram-518 343(A.P.), Nandavaram Mandal, Kurnool District, A.P.

10. Chakali Hanmanthu, S/o Late Naganna, aged about 62 years, Occupation Agriculturist, resident of H. No. 3-118, Ibrahimipuram-518 343(A.P.), Nandavaram Mandal, Kurnool District, A.P.
11. Chakali Pedda Narasappa, S/o Late Naganna, aged about 49 years, Occupation Agriculturist, resident of H. No. 3-120, Ibrahimipuram-518 343(A.P.), Nandavaram Mandal, Kurnool District, A.P.
12. Chakali Chinna Narasappa, S/o Late Naganna, aged about 49 years, Occupation Agriculturist, resident of H. No. 1-123, Ibrahimipuram -518 343(A.P.), Nandavaram Mandal, Kurnool District, A.P.
13. Chakali Ramanna, S/o Late Sivanna, aged about 55 years, Occupation Agriculture, resident of H. No. 1-120, Ibrahimipuram-518 343(A.P.), Nandavaram Mandal, Kurnool District, A.P.
14. Chakali Ayyanna, S/o Late Sitanna, aged about 59 years, Occupation Agriculturist, resident of H. No.1-124, Ibrahimipuram-518 343(A.P.), Nandavaram Mandal, Kurnool District, A.P.

...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 order or direction more particularly, A WRIT OF MANDAMUS to declare the action of the Respondents, particularly, the 4th Respondent in trying to issue pattadar pass books to the Unofficial Respondents 5 to 14 in respect of the Petitioner's agricultural land in Sy. No. 200-2(extent Ac.1-63 cents) situated at Nadi Kairavadi Village, Nandavaram Mandal, Kurnool District in the guise of migulu bhoomi and thus depriving the Petitioner's land is clear violation of Articles 14 and 21 of the Constitution of India and declare the same as illegal and further direct the official Respondents particularly to the 4th Respondent to cause survey of the said land in Sy. No. 200/2, extent Ac.1-63 cents situated at Nadikairavadi Village, Nandavaram Mandal, Kurnool District forthwith by demarcating the same with boundary stones and hand over the said land to the Petitioner forthwith and in case the Official Respondents are willing to take possession of the Petitioner's land, they can do so by acquiring the same under the provisions of the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act,

2013, by paying entire legitimate compensation to the Petitioner under the said Act

IA NO: 1 OF 2021

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 4th Respondent not to issue any pattadar pass books to the Unofficial Respondents 5 to 14 in respect of land in Sy. No. 200/2, extent of 1-63, situated in Nadikairavadi Village, Nandavaram Mandal, Kurnool District cents in the guise of "migulu bhoomi" pending disposal of the above writ petition

IA NO: 2 OF 2021

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 Respondents herein not to interfere- with the Petitioner's possession from his agricultural land in Sy. No. 200-2(extent Ac.1-63 cents) situated at Nadi Kairavadi Village, Nandavaram Mandal, Kurnool District pending disposal of the above writ petition

Counsel for the Petitioner: SRI CHAKRADHARA RAJA Y

Counsel for the Respondents No.1 to 4: GP FOR REVENUE

Counsel for the Respondents No.5 to 14: None

WRIT PETITION NO: 24918 OF 2020

Between:

Chakalai Eranna, S/o Late Madanna, aged about 53 years, Occupation Agriculture, resident of H. No. 2, Ibrahimipuram Village, Nandavaram Mandal, Kurnool District, A.P.

...Petitioner

AND

1. State of Andhra Pradesh, represented by the Principal Secretary, Revenue Department, Secretariat, Velagapudi-522 237(A.P.), Guntur District, A.P
2. District Collector, Kurnool District, Kurnool-518 001(A.P.)
3. Revenue Divisional Officer, ADONI-518 301(A.P.), Kurnool District.
4. Tahsildar, Nandavaram Mandal, Nandavaram-518 345(A.P.), Kurnool 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 order or direction more particularly, A WRIT OF MANDAMUS to declare the action of the Respondents, particularly, the 2nd to 4th Respondents in trying to take possession of the Petitioners agricultural land in Sy. No. 200-2(extent Ac.1-63 cents) situated at Nadi Kairavadi Village, Nandavaram Mandal, Kurnool District for the purpose of distribution of house pattas to the landless poor without acquiring the same under the provisions of the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013 as illegal and further direct the 1st to 4th Respondents to take action as per the provisions of the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013 by acquiring the Petitioners land in Sy. No. 200-2(extent Ac.1-63 cents) situated at Nadi Kairavadi Village, Nandavaram Mandal, Kurnool District forthwith by following due process of Law and till such time, this Honourable Court may be pleased to direct the Respondents herein not to dispossess the Petitioner from his agricultural land in Sy. No. 200-2(extent Ac.1-63 cents) situated at Nadi Kairavadi Village, Nandavaram Mandal, Kurnool District

IA NO: 1 OF 2020

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 Respondents herein not to dispossess the Petitioner

from his agricultural land in Sy. No. 200-2(extent Ac.1-63 cents) situated at Nadi Kairavadi Village, Nandavaram Mandal, Kurnool District pending disposal of the above writ petition

IA NO: 1 OF 2021

Between:

1. State of Andhra Pradesh, represented by the Principal Secretary, Revenue Department, Secretariat, Velagapudi-522 237(A.P.), Guntur District, A.P.
2. District Collector, Kurnool District, Kurnool-518 001(A.P.)
3. Revenue Divisional Officer, ADONI-518 301(A.P.), Kurnool District.
4. Tahsildar, Nandavaram Mandal, Nandavaram-518 345(A.P.), Kurnool District.

...Petitioners/Respondents No.1 to 4

AND

Chakalai Eranna, S/o Late Madanna, aged about 53 years, Occupation Agriculture, resident of H. No. 2, Ibrahimipuram Village, Nandavaram Mandal, Kurnool District, A.P.

...Respondent/Petitioner

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 vacate the interim order Dt.24-12-2020 in IA.No.1 of 2020 in WP.No. 24918 of 2020 and dismiss the writ petition

Counsel for the Petitioner: SRI CHAKRADHARA RAJA Y

Counsel for the Respondents No.1 to 4: GP FOR REVENUE

The Court made the following: Common Order

APHC010271492021



**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:

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.

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.

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

1.CHAKRADHARA RAJA Y

Counsel for the Respondent(S):

1.GP FOR REVENUE

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

Sd/- K.J.RAJA BABU
ASSISTANT REGISTRAR

B sl-
SECTION OFFICER

//TRUE COPY//

To,

1. The Principal Secretary, State of Andhra Pradesh, Revenue Department, Secretariat, Velagapudi-522 237(A.P.), Guntur District, A.P. ✓
2. District Collector, Kurnool District, Kurnool-518 001(A.P.) ✓
3. Revenue Divisional Officer, ADONI-518 301(A.P.), Kurnool District.
4. Tahsildar, Nandavaram Mandal, NANDAVARAM-518 345(A.P.), Kurnool District. ✓
5. One CC to SRI CHAKRADHARA RAJA Y Advocate [OPUC] ✓
6. Two CCs to GP FOR REVENUE, High Court of Andhra Pradesh [OUT] ✓
7. Three CD Copies

gsg

HIGH COURT

DATED: 05/05/2025

ORDER

WP.No.15778 OF 2021 AND 24918 OF 2020



**DISMISSING THE WPS
WITHOUT COSTS**