0APHC010430482025

**IN THE HIGH COURT OF ANDHRA PRADESH**
**AT AMARAVATI**

MONDAY, THE 28th DAY OF SEPTEMBER 2026

**PRESENT**

**THE HONOURABLE SRI JUSTICE RAVI NATH TILHARI**

**THE HONOURABLE SRI JUSTICE ALAPATI GIRIDHAR**

**WRIT APPEAL NO: 1237 OF 2025**

Writ Appeal under clause 15 of the Letters Patent to set aside the order dated 23.11.2022. passed in W.P. No. 18879 of 2016, by The Learned Single Judge and consequently allow the Writ Appeal and pass

**Between:**

1. G. Rani., W/o. Late G. Subramanyam Raju, Age- 62 Years, Occ- Cultivation, R/o. Taduku Railway station, A.M. Puram Post, Vadamalapeta Mandal, Tirupati District.

2. G. Ramachandra Raju,, S/o. Late G. Nagarayana Raju, Age- 60 years Occ- Pvt. Employee, R/o. Taduku Railway station, A.M. Puram Post, Vadamalapeta Mandal, Tirupati District.

3. G. Girija,, W/o. Late G. Venktrama Raju, Age- 60 years Occ- House Wife, R/o. Taduku Railway station, A.M. Puram Post, Vadamalapeta Mandal, Tirupati District.

4. G. Padma,, W/o. Late G. Chenchurama Raju, Age- 58 years Occ- Cultivation, R/o. Taduku Railway station, A.M. Puram Post, Vadamalapeta Mandal, Tirupati District.

5. G. Revathi,, D/o. Late G. Muralikrishnama Raju, Age- 37 years Occ- House wife, R/o. Taduku Railway station, A.M. Puram Post, Vadamalapeta Mandal, Tirupati District.

6. G. Ammannemma,, W/o. Late G. Ramakrishnama Raju, Age- 70 years Occ- Cultivation, R/o. Taduku Railway station, A.M. Puram Post, Vadamalapeta Mandal, Tirupati District.

7. G. Narendra Varma, , S/o. Late G. Ramakrishnama Raju Age- 53 years Occ- Pvt Employee, R/o. Taduku Railway station, A.M. Puram Post, Vadamalapeta Mandal, Tirupati District.

**...Petitioners**

**AND**

1. The State of Andhra Pradesh, Represented by its Principal Secretary, Revenue Department, Secretariat Buildings, Velagapudi, Amaravati, Guntur District.

2. The District Collector, Tirupati, Tirupati District.

3. The Revenue Divisional Officer, Tirupati, Tirupati District.

4. The Tahsildar, Vadamalapeta Mandal, Tirupati District

5. Guntumadugu Sudharsana Varma, S/o. Late Narayana raju, (Died) For L.R.s

6. G Subbrathnamma, W/o. Late G. Sudharsana Varma, Aged about 85 years, R/o. S.B.R. Puram Village, Vadamalapeta Mandal, Tirupati District.

7. K Vijaya Raju, , D/o. Late G. Sudharsana Varma, Aged about 70 years, R/o. S.B.R. Puram Village, Vadamalapeta Mandal, Tirupati District.

8. G Narayana Raju, S/o. Late G. Sudharsana Varma, Aged about 71 years, R/o. S.B.R. Puram Village, Vadamalapeta Mandal, Tirupati District.

9. G Vinod Varma, S/o. Late G. Sudharsana Varma, Aged about 68 years, R/o. S.B.R. Puram Village, Vadamalapeta Mandal, Tirupati District.

10. G Ravi Varma, S/o. Late G. Sudharsana Varma, Aged about 67 years, R/o. S.B.R. Puram Village, Vadamalapeta Mandal, Tirupati District.

**...Respondents**

**IA NO: 1 OF 2025**

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 pleased to grant leave for filing of Writ Appeal as Appellants No. 1 to 5, against the orders Dt. 23.11.2022, passed in W.P. No. 18879 of 2015 pending disposal of the Writ Appeal in the interest of the justice and pass

**IA NO: 2 OF 2025**

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 pleased to condone the delay of (76) days in resubmitting the WritAppeal. No. (U.S.R. No. 32258 of 2025) of 2025, against the orders Dt. 23.11.2022, passed in W.P. No. 18879 of 2015, in the interest of the justice and pass

**IA NO: 3 OF 2025**

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 pleased to condone the delay (968) days in filing the L.R. Petition to bring the L.R.s of the writ petitioner i.e., respondents No. 6 to 10 herein as respondents No. 6 to 10 in the writ appeal filed against the orders Dt. 23.11.2022, passed in W.P. No. 18879 of 2015 pending disposal of the Writ Appeal in the interest of the justice and pass

**IA NO: 4 OF 2025**

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 pleased to suspend the operation of the orders Dt. 23.11.2022, passed in W.P. No. 18879 of 2015 pending disposal of the Writ Appeal in the interest of the justice and pass

**IA NO: 5 OF 2025**

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 pleased to condone the delay (691) days in filing the L.R. Petition to bring the L.R.s of the writ petitioner i.e., respondents No. 6 to 10 herein as respondents No. 6 to 10 in the writ appeal filed against the orders Dt. 23.11.2022, passed in W.P. No. 18879 of 2015 pending disposal of the Writ Appeal in the interest of the justice and pass

**IA NO: 6 OF 2025**

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 pleased to permit to bring the LRs of the writ petitioner as respondents No.6 to 10 herein in the writ appeal filed against the orders Dt. 23-11-2022 passed in WP.No. 18879 of 2015 pending disposal of the Writ Appeal in the interest of the justice and pass

**IA NO: 1 OF 2026**

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 pleased to vacate the interim Order dated 06.01 .2026 passed in W.A. No. 1237 of 2025 and to pass

**IA NO: 2 OF 2026**

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 May be pleased to grant leave the Respondents 6 to 10 herein to file their Counter Affidavit in the above Writ Appeal by granting leave in the interest of justice and to pass

**Counsel for the Petitioners: G JAGADEESWAR**

**Counsel for the Respondents: V JAGAPATHI Counsel for the Respondents:GP FOR REVENUE Counsel for the Respondents:K KOUTILYA Counsel for the Respondents:SOORA VENKATA SAINATH**

**The Court made the following order:**

**THE HONOURABLE SRI JUSTICE RAVI NATH TILHARI**

**THE HONOURABLE SRI JUSTICE ALAPATI GIRIDHAR**

**I.A.Nos.1 to 3 of 2025**

**In/and**

**WRIT APPEAL NO: 1237 OF 2025**

**ORDER:** *(per Ravi Nath Tilhari, J)*

This writ appeal has been filed by the appellants challenging the order dated 23.11.2022 in W.P.No.18879 of 2015 passed by the learned Single Judge.

2. The writ petition was filed by the respondent No.5 (writ petitioner). Respondent Nos.6 to 10 are his legal representatives.

3. The dispute is with respect to the extent of land on Ac.4.02 cents in Sy.No.207/2A situated in Alivelu Mangapuram Village, Vadamalpet Mandal, Chittoor District. The same came to be recorded in the name of writ petitioner by the proceedings of the Tahsildar and challenging the same, the writ appellants filed the appeal before the Revenue Divisional Officer, which was allowed on 11.05.2015 and the direction was issued to the Tahsildar as under:

> "In the above scenario, the appeal is allowed with dierctions to the Tahsildar, Vadamalapet to pursue action for cancellation Pattadar Pass Book and Title Deed issued to Sri G. Sudharsana Varma S/o. Late Narayana Raju for an extent of 4.02 cents in S.No.207/2 cents of Alimelu Mangapuram @ Abbi Kandriga village of Vadamalapet Mandal.

A revision lies to the Collector, Chittoor in terms of Section 9 of the AP ROR Act in Lands & PPBs Act, 1971."

4. The respondent/writ petitioner filed revision and the same was disposed of vide proceedings in D.Dis.(D4)/850/2016 dated 12.01.2018 by Joint Collector, Chittoor. The operative part of the order reads as under:

" I have perused the grounds of Revision Petition, Counter, Written Arguments and report carefully. It is noticed that the Revision Petitioenr has purchased the land from Sri G.Subbaraju (i.e., brother of the Fair Adangal Pattadar) with an extent of 4.02 Acs in Sy.No.207/2, nut not from the legal heirs of the pattadar. However, there is a Civil Suit is pending in O.S.No.239/2010 on the file of Principal Junior Civil Judge, Puttur with regard to title over the schedule mentioned situated in Alimelu Mangapuram @ Abbi Kandriga Village, Vadamalapeta Mandal between the Revision Petitioner and respondents. Since the civil dispute is pending adjudication before competent Civil Court, the Revenue authorities should not interfere with such matter". Hence, the petitioner is hereby directed to approach the Revenue authorities with result of the suit which is pending before the competent court.

Therefore, the Revision Petition is hereby disposed accordingly."

5. The respondent filed writ petition No.18879 of 2015 with the following prayer:

"…to issue a Writ, Order or direction more particularly one in the nature of Writ of mandamus calling for the records from the file of the 4th Respondent relating to the web land in Sy. No.207/2A, extent Acs.4.02 cents situated in AM Puram Village Accounts, Vadamalpet Mandal, Chittoor District, and after perusing the same declare the action of the 4th Respondent in deleting the name of the Petitioner as Pattadar and enjoyer of the said lands from the web land as arbitrary, illegal, violative of the principles of natural justice and contrary to the findings of the order dt.06.02.2012 in I.A. No.822 of 2011 in O.S. No.152 of 2011 on the file of the Hon'ble Principal Junior Civil Judge, Puttur and consequently direct the 4th Respondent to restore forthwith all the entries in the said land in respect of the said land of an extent of Acs.4.02 cents in Sy. No.207/2A including the name of the Petitioner as Pattadar and enjoyer No.1-B Extract (ROR) and also declare that the Title Deeds issued to the Petitioner by the 4th Respondent vide Katha No.396, in respect of the said land of an extent of

> Acs.4.02 cents in Sy. No.207/2A is legal and valid and with all other consequential benefits…"

6. Writ petition has been allowed by order dated 23.11.2022 which reads as under:

> "15. Accordingly, this writ petition is allowed by setting aside the impugned order passed by the 3rd respondent-Revenue Divisional Officer vide Roc.G/4230/2012, dated 11.05.2015, and thereafter, the respondents are directed to rectify the revenue records and webland entries by restoring the name of the petitioner in respect of the subject land and are further directed to issue Pattadar Pass Book and Title Deed in favour of the petitioner. There shall be no order as to costs."

7. Learned counsel for the writ appellants submits that all the writ appellants (i.e., writ appellant Nos.1 to 5) were not made a party in the writ petition. The writ petition has been allowed, setting aside the order passed by the Revenue Divisional Officer dated 11.05.2015 with a direction to the respondents to rectify the revenue records and webland entries by restoring the name of the writ petitioner in respect of the subject property and also to issue pattadar pass book and title deed in favour of the writ petitioner.

8. Learned counsel for the writ appellant further submits that in the writ petition there was no challenge to the order of the RDO dated 11.05.2015 and the material facts regarding the order of the Joint Collector dated 12.01.2018 was not revealed, though the writ petition was decided in the year 2022.

9. Learned counsel for the appellant further submits that the impugned order cannot be sustained. He submits that I.A.No.1 of 2025 has been filed seeking leave to file the appeal and I.A.No.2 of 2025 has been filed to condone the delay in representing the writ appeal and I.A.No.3 of 2025 has been filed to condone the delay in filing the writ appeal.

10. Sri Veera Reddy, learned senior counsel appearing for respondent Nos.6 to 10 submits that from perusal of the record, it is clear that the writ appellant Nos.1 to 5 were not made party in the writ petition and there was also no challenge to the order dated 11.05.2015 which has been set aside.

11. We are satisfied from the perusal of the record that all the writ appellants in whose favour the order dated 11.05.2015 was passed by the Revenue Divisional Officer, has been set aside in the writ petition, whereas the writ appellant Nos. 1 to 5 were not made party in the writ petition. There is also no reference to the order of the Joint Collector dated 12.01.2018.

12. Since the order has been passed without affording opportunity of hearing to the writ appellant Nos.1 to 5, the order under challenge deserves to be set aside on that ground alone.

13. Consequently, the leave is granted. The applications for condonation of delay in filing the appeal and the representation are also allowed.

14. The impugned order dated 23.11.2022 is set aside. The writ petition is restored to its original number, for fresh decision.

15. The respondent/writ petitioner shall be at liberty to challenge the orders of Revenue Divisional Officer as also the Joint Collector, if so advised.

16. Respondent Nos. 6 to 10 shall be at liberty to file appropriate application for their impleadment in the writ petition in the place of the deceased writ petitioner if so advised and in such a case, they shall implead the writ appellants as respondents in the writ petition.

17. Since, we have set aside the order passed in the writ petition, if any further action, pursuant to the impugned order, if taken by the revenue authorities, also stands set aside and of no legal effect.

18. With the above observations, the writ appeal is allowed.

19. We make it clear that we have not made any observations on the merits of the matter either way.

No order as to costs.

As a sequel thereto, miscellaneous petitions, if any pending, shall also stand closed.

**RAVI NATH TILHARI,J**

**ALAPATI GIRIDHAR,J**

Dated: 28.09.2026
AG

**THE HONOURABLE SRI JUSTICE RAVI NATH TILHARI**

**THE HONOURABLE SRI JUSTICE ALAPATI GIRIDHAR**

**I.A.Nos.1 to 3 of 2025**

**In/and**

**WRIT APPEAL NO: 1237 OF 2025**

Dated: 28.09.2026
AG