APHC010467062026

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

WEDNESDAY, THE 30th DAY OF SEPTEMBER 2026

**PRESENT**

**THE HONOURABLE SRI JUSTICE RAVI NATH TILHARI**

**THE HONOURABLE SRI JUSTICE ALAPATI GIRIDHAR**

**WRIT APPEAL NO: 1076 OF 2026**

Writ Appeal under clause 15 of the Letters Patent ASIDE THE ORDERS PASSED IN W.P.No.5591 OF 2022 dated 18-07-2025

**Between:**

1. Rangala Ramulamma,, W/o. Late Rangala Thathabhai, Aged about 67 years, Occ Household, R/o.D.No.14-33-37/9c, Angadi Dibba Ramalakshmi Colony, Maharanipeta, Visakhapatnam City and District.

2. Peetha Pydithalli, W/o. Sanyasi Rao, Aged about 43 years, Occ Household, R/o. 18-14-25, Pedanandupuru, Pedagantyada Mandal, Gajuwaka, Visakhapatnam District.

**...Petitioners**

**AND**

1. The State of Andhra Pradesh, , Rep. by its Principal Secretary Revenue Department, Secretariat, Velagapudi, Amaravathi.

2. The District Collector, Visakhapatnam, Visakhapatnam District.

3. The Revenue Divisional Officer, Anakapalli, Visakhapatnam District.

4. The Thasildar, Rambilli, Rambilli Mandal, Visakhapatnam District.

5. Rangala Appala Raju, S/o. late Rangala Thathaabbai, Aged about 46 years, R/o. Angadi Dibba, Rama Lakshmi Colony, Maharanipeta, Visakhapatnam.

**...Respondents**

**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 condone the delay of (351) days in filing the above W.A in W.P.No.5591 OF 2022, dated 18-07-2025 passed by His Lordship HIGH COURT OF A.P. AT AMARAVATHI otherwise the petitioner will suffer irreparable loss and hardship

**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 dispense with the certified copy of the order passed in W.P.No.5591 OF 2022 dated 18- 07-2025 to the petitioner in filing the present appeal in the interest of justice

**IA NO: 3 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 grant STAY of all proceedings including granting of compensation by APIIC to the Respondent No.5 in pursuance of the order and judgment passed in W.P.No.5591 of 2022 dated 18-07-2025

**Counsel for the Petitioners: MOHAMMED GAYASUDDIN**

**Counsel for the Respondents: GP FOR REVENUE**

**The Court made the following order:**

**THE HONOURABLE SRI JUSTICE RAVI NATH TILHARI**

**THE HONOURABLE SRI JUSTICE ALAPATI GIRIDHAR**

**WRIT APPEAL NO: 1076 OF 2026**

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

Heard Sri Mohammed Gayasuddin, learned counsel for the appellants and learned Government Pleader for Revenue appearing for respondent Nos.1 to 4.

2. On 16.09.2026, learned counsel for the appellants submitted that the certified copy had not been filed along with the writ appeal and the application vide I.A.No.2 of 2026 was filed to dispense with the filing of the certified copy of the order passed in the writ petition and consequently, in view of that application, the order was passed on 16.09.2026, granting time to file the certified copy at the request of the learned counsel for the appellants.

3. On 16.09.2026, this Court passed the following order:

*"Heard Sri Mohammed Gayasuddin, learned counsel for the appellants (Respondent No.5 & 6 in writ petition No.5591 of 2022)*

*2. Learned counsel for the appellants submits that W.P.No.5591 of 2022 filed by respondent No.5 herein (writ petitioner) has been allowed by the learned Single Judge on the ground that the appeal in ROR Appeal No.1066 of 2018 (Rc.No.1066 of 2018) before the Revenue Divisional Officer, & Appellant Authority, Anakapalli, under the A.P. Rights in Land and Pattadar Pass Books Act, 1971, was not maintainable before the Appellate Authority, namely, the Joint Collector, Visakhapatnam in Revision Petition No.06 of 2022.*

*3. He submits that the learned Single Judge has not considered the maintainability of the appeal in correct perspective, particularly when the same was filed also with respect to the rights reflected in the record of rights. The appeal in his submission was maintainable.*

*4. I.A.No.1 of 2026 has been filed to condone the delay of 351 days in filing the appeal.*

***5. I.A.No.2 of 2026 has been filed to dispense with the filing of the certified copy of the order passed in W.P.No.5591 of 2022 by the learned Single Judge.***

***6. Let the certified copy of the aforesaid order be filed by the next date of listing.***

*7. Notice has already been accepted by the 5threspondent through counsel in the writ petition. However, none appears for 5th respondent.*

*8. List on 23.09.2026."*

4. However, on 23.09.2026, he stated that the certified copy had already been filed along with the writ appeal and the application vide I.A.No.2 of 2026 was filed by some mistake. However, the certified copy could not be seen on record of the Writ Appeal, we passed the following order:

*"I.A.No.2 of 2026 has been filed to dispense with the filing of the certified copy of the order passed in W.P.No.5591 of 2022 by the learned Singly Judge.*

*2. Time was granted to file certified copy of the order passed in W.P.No.5591 of 2022.*

*3. Learned counsel for the appellants submits that the certified copy of the order in W.P.No.5591 of 2022 has already been filed with the writ appeal.*

*4. Office to verify and submit a report.*

*5. List on 28.09.2026."*

5. Report was submitted on 28.09.2026, we called for fresh report on the point in the order dated 23.09.2026 as it was submitted that the certified copy was placed with the Writ Appeal.

6. The report dated 28.09.2026 has been submitted that the certified copy had not been filed along with the writ appeal. I.A.No.2 of 2026 was filed to dispense with the filing of the certified copy of the order passed in the writ petition.

7. Today, Sri Mohammed Gayasuddin, learned counsel for the appellants, submits that the certified copy was not filed with the writ appeal so I.A.No.2 of 2026 was filed.

8. Its unfortunate state of affairs that the learned counsel for the appellant is not aware of the paper filed with the writ appeal and changing all the time his stand, unnecessarily wasting the public time and engaging the Registry in furnishing reports, which time could certainly be utilised in other cases.

9. In spite of the order dated 16.09.2026, certified copy has not been filed.

10. The writ appeal is dismissed for want of prosecution in not filing the certified copy, imposing cost of Rs.10,000/- to be deposited with the Registrar (Judicial) of this Court within 15 days from today.

11. However, the appellant shall be at liberty to file a fresh writ appeal with the certified copy as per procedure, if so advised.

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

**RAVI NATH TILHARI,J**

**ALAPATI GIRIDHAR,J**

Dated: 30.09.2026
SRT

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**THE HONOURABLE SRI JUSTICE RAVI NATH TILHARI**

**THE HONOURABLE SRI JUSTICE ALAPATI GIRIDHAR**

**WRIT APPEAL NO: 1076 OF 2026**

Dated: 30.09.2026
SRT