



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

[3206]

FRIDAY, THE SECOND DAY OF JANUARY
TWO THOUSAND AND TWENTY SIX

PRESENT

THE HONOURABLE SRI JUSTICE R RAGHUNANDAN RAO

WRIT PETITION NO: 34878/2017

Between:

- 1.T. BALI REDDY (DIED), S/O T.OBILESU, AGED 86 YEARS, OCC SENIOR ADVOCATE, R/O 51, M.I.G.H., MEHDIPATNAM, HYDERABAD.
- 2.T. OBI REDDY (DIED), S/O T.OBILESU, AGED 84 YEARS, R/O 7-A, JOURNALIST COLONY, ROAD NO.70, JUBILEE HILLS, HYDERABAD.
- 3.T.C. OBI REDDY,(DIED) AS PER L.RS P7 AND P8, S/O T.OBILESU, AGED 78 YEARS, R/O JALALPURAM VILLAGE, SINGANAMALA MANDAL, ANANTHAPURAMU DISTRICT, ANDHRA PRADESH.
- 4.T.RAJA MOHAN REDDY, S/O LATE T.OBI REDDY,, 601, BANDARI RESIDENCY, UMA NAGAR, KUNDAN BAGH, BEGUMPET, HYDERABAD. LR OF 2ND PETITIONER
- 5.T.VIJAY KUMAR, S/O LATE T.BALI REDDY,, AGED ABOUT 58 YEARS, OCC CA, R/O D.NO.154/A, MLA COLONY, ROAD NO.12, BANJARA HILLS, HYDERABAD -500034.LR OF 1ST PETITIONER
- 6.T.NARESH KUMAR, S/O LATE T.BALI REDDY,, AGED ABOUT 55 YEARS, OCC BUSINESS, R/O D.NO.112/A, MLA COLONY, ROAD NO.12, BANJARA HILLS, HYDERABAD -500034.LR OF 1ST PETITIONER. PETITIONERS 4 TO 6 ARE BROUGHT ON RECORD AS L.RS OF THE DECEASED OF THE 2ND AND 1ST PETITIONERS AS PER THE COURT'S ORDER DT.31.12.2024 IN I.A.NO.01, 02 OF 2022. RESPECTIVELY.

7.T. MADHUSUDHAN REDDY,, S/O LATE T.C.OBI REDDY, AGED ABOUT 61 YEARS, R/O JALALAPURAM VILLAGE, SINGANAMALA MANDAL, ANANTAPURAM DISTRICT.

8.T.SRIKANTH,, S/O LATE T.C.OBI REDDY, AGED ABOUT 56 YEARS, R/O JALALAPURAM VILLAGE, SINGANAMALA MANDAL, ANANTAPURAM DISTRICT. PETITIONER NOS.7 AND 8 ARE BROUGHT ON RECORD AS L.RS OF THE DECEASED 3RD PETITIONER AS PER THE COURT'S ORDER DT.31.10.2025 IN I.A.NO.01 OF 2025.

...PETITIONER(S)

AND

1.PRL SECRETARY REVENUE DEPT AMARAVATHI 4 OTHERS, REP. BY ITS PRINCIPAL SECRETARY, REVENUE DEPARTMENT, AMARAVATI, ANDHRA PRADESH.

2.DISTRICT COLLECTOR, ANANTHAPURAMU DISTRICT, ANANTHAPURAMU.

3.JOINT COLLECTOR, ANANTHAPURAMU DISTRICT, ANANTHAPURAMU.

4.REVENUE DIVISIONAL OFFICER, ANANTHAPURAMU DIVISION, ANANTHAPURAMU DISTRICT, ANDHRA PRADESH.

5.TAHSILDAR, SINGANAMALA MANDAL, ANANTHAPURAMU DISTRICT, ANDHRA PRADESH.

6.C PRASAD, S/O CHINNA PEDDANNA, AGED 44 YEARS, OCC: AGRICULTURE, R/O PERAVALI VILLAGE, SINGANAMALA MANDAL, ANANTHAPURAMU DISTRICT, ANDHRA PRADESH.

...RESPONDENT(S):

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 Writ, Order or Direction particularly one in the nature of Writ of Certiorari, quashing the impugned Order No. D.Dis.No. 3630/2015/D4, dated 19/09/2017 passed by the 3rd Respondent-Joint Collector in respect of lands of the Petitioners to an extent of Ac.12-75 Cents, Ac.13-70 Cents & Ac.16-75 Cents respectively in Survey No.164-6B situated at Julakaluvu Village, Singanamala Mandal in Ananthapuramu District, Andhra Pradesh, as

the same is void, illegal, in violation of principles of natural justice, contrary to the provisions of ROR Act and also in violation of Articles 14 & 300-A of the Constitution of India and set aside the subsequent Memo RC No. 60/2017(B), dated 07/10/2017 issued by the 5th Respondent-Tahsildar and consequently direct the Respondents not to alter the entries and not to interfere with the peaceful possession of the Petitioners over the said lands and pass

IA NO: 1 OF 2017(WVMP 4736 OF 2017

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 granted on 23.10.2017 in WP.No.34878 of 2017 and pass

IA NO: 2 OF 2017(WPMP 43347 OF 2017

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

IA NO: 1 OF 2018

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 dated 22.11.2017 passed in WPMP No. 43347 of 2017 in WP No.34878 of 2017

IA NO: 1 OF 2022

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 bring the proposed party 4th petitioner as legal representative of the deceased 2nd petitioner as 4th petitioner in WP. 34878 of 2017 and pass

IA NO: 2 OF 2022

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 bring the proposed party 4th and 5th petitioners as Legal representatives of the deceased 1st Petitioner as 5th and 6th Petitioners in W.P.NO. 34878 OF 2017, and pass

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 bring the proposed Petitioner Nos. 7 & 8 as legal representatives of deceased 3rd petitioner and as the Petitioners Nos. 7 & 8 in the above writ petition and pass

Counsel for the Petitioner(S):

1. M R S SRINIVAS

Counsel for the Respondent(S):

1. KARNAM RAMESH

2. GP FOR REVENUE (AP)

Date of Reserved : 20.12.2025

Date of Pronouncement : 02.01.2026

Date of Upload : 02.01.2026

The Court made the following Order:

The Writ Petition was filed by the three petitioners. During the pendency of the Writ Petition, all the three petitioners have passed away and their legal representatives were brought on record as the Petitioners 4 to 8.

2. The petitioners claim ownership and possession over Ac.43.20 cents of land, in Sy.No.164-6 of Julakaluva Village, Singanamala Mandal, Ananathapuram District, Andhra Pradesh. This land is said to have been purchased from the grandfather of the 6th respondent, by way of registered sale deeds, in the years 1939, 1943, 1944 and 1951, by the father of the deceased petitioners 1 to 3. The case of the petitioners 1 to 3 is that, an extent of Ac.46.60 cents had been purchased initially. However, the father of the petitioners 1 to 3, during his lifetime, had sold away Ac.3.36 cents of land in favour of third parties and Ac.43.20 cents remained with the family of the petitioners. The names of the petitioners 1 to 3 are also said to have been mutated in the revenue records as pattadars and possessors over these lands. In the year 1972, a partition is said to have been effected between the petitioners 1 to 3 and their father, on account of which, the names of the petitioners 1 to 3 were entered in the revenue record as pattadars and possessors over Ac.12.75 cents, Ac.13.70 cents and Ac.16.75 cents of lands, respectively, in the names of the petitioners 1 to 3, in survey No.164-6(B). The pattadar pass books and title deeds had been issued in the favour of the petitioners, in the year 1988. The petitioners would additionally contend that the father of the petitioners had obtained certain loans, in the year 1950, for

development of this land and that he had deposited the title deeds of these lands with the Government in respect of Ac.46.60 cents.

3. The 6th respondent, made a representation under Section 6-A of the Andhra Pradesh Rights in Land and Pattadar Pass Books Act, 1971[for short “the Act, 1971”], on 30.07.2014, before the 5th respondent-Tahsildar, for issuance of pattadar pass books and title deeds to an extent of Ac.12.10 cents, in Sy.No.164-6 on the ground that there was a registered partition between himself and other family members, executed on 29.01.2014, under which this land had fallen to the share of the 6th respondent. This representation was refused by the 5th respondent, by way an endorsement, dated 23.08.2014, in file No.199/2014/B, on the ground that there was no vacant land available in this survey number and all the land was already shown in the names of different pattadars. Aggrieved by this endorsement, the 6th respondent approached the 4th respondent-Revenue Divisional Officer. The said 4th respondent-RDO after verifying the records, had dismissed the appeal of the 6th respondent by an Order, dated 07.03.2015, in file No.D.Dis.No.D2/5629/2014, on the ground that the land in question was private patta land and as there are complicated facts, it would be appropriate that the case is decided by a competent Civil Court.

4. The 6th respondent aggrieved by these observations, filed a revision before the 3rd respondent-Joint Collector. At that stage, the 2nd respondent-District Collector, though the revision was filed before the Joint Collector, sought a report from the 4th respondent. The 4th respondent-RDO

then submitted a detailed report, dated 11.04.2017, vide Rc.No.5629/D2/2014, wherein it was stated that the total extent of land, in Sy.No.164 was Ac.74.49 cents while the available land was only Ac.49.00 cents, in Sy.No.164-1 to 164-5. The report also stated that an extent of Ac.46.60 cents of land was in the possession of the father of the petitioners 1 to 3 from the year-1943 onwards. The 3rd respondent-Joint Collector, on the basis of the said report of the RDO had passed an Order, dated 19.09.2017, setting aside the Orders of the RDO, dated 07.03.2015, with a further direction to the Tahsildar, Singanamala to verify the deeds of sale and to carry out necessary changes in the web land records after considering the claim of the 6th respondent for issue of title deeds and pattadar pass books, in Sy.No.164-6.

5. The Order of the Joint Collector, dated 19.09.2017, is challenged before this Court by way of the present Writ Petition.

6. Sri M.R.S. Srinivas, learned counsel appearing for the petitioners would contend that no claim had been raised against the lands, in the possession of the petitioners till 2014. That, the 6th respondent, after a lapse of 71 years, moved an application for issuance of pattadar pass books and title deeds. He would contend that the revenue authority, cannot take up such applications after a period of 71 years as the same stands barred by latches and limitation. He would further contend that the RDO, had held that the claims of the 6th respondent raises complicated questions of fact and the same would be required to be settled by way of a decision of an appropriate Civil Court. In such circumstances, the Joint Collector could not have

intervened in the matter and exercised the powers of a Civil Court to decide title over the land. He would also point out that it is only the Civil Court which would be competent to adjudicate such claims and the 3rd respondent could not have bypassed the jurisdiction of the Civil Court on the basis of a report given by the RDO. He specifically relies upon Section-8(2) of the Andhra Pradesh Rights in Land and Pattadar Pass Books Act, 1971 [for short "the ROR Act"].

7. Sri Karnam Ramesh, learned counsel appearing for the 6th respondent would contend that the order of the Joint Collector shows that the petitioners 1 to 3 were claiming possession of land, over which they had no title, and that the 6th respondent who is actual in possession of this land was only seeking mutation of his name in the revenue records. He would also contend that in such circumstances the decision of the joint collector cannot be treated to be a decision deciding title or that he had stepped into the shoes of the Civil Court for deciding title. He would also contend that the application of the 6th respondent was not hit by latches inasmuch as the partition had been executed between the family members of the 6th respondent only in January-2014, while the application was moved in July-2014.

8. The 3rd respondent-Joint Collector, who had passed the impugned order, filed a counter affidavit. In this counter affidavit, it is stated that an extent of Ac.39.75 cents of land had been purchased by the father of the petitioners 1 to 3, in the years 1943, 1949 and 1951. While, the pattadar pass books and title deeds had been issued in their favour for an extent of

Ac.43.20 cents. The contention of the 3rd respondent is that the claim of the petitioner 1 to 3 would have to be restricted to Ac.39.75 cents, as per the registered documents and the remaining land would have to be treated as a land which is retained by the family of the 6th respondent.

9. The undisputed facts which come out, from the rival pleadings, is that an extent of Ac.46.60 cents had initially been claimed by the father of the petitioners 1 to 3. Thereafter, the petitioners 1 to 3 were given pattadar pass books and title deeds in relation to Ac.43.20 cents. Their names were also entered in the revenue record as owners and possessors of the aforesaid extent of land. The petitioners contend that the revenue records, from 1943 onwards, shows the names of the father of the petitioners 1 to 3 as owner and possessor of Ac.46.60 cents initially and subsequently, the names of the petitioners 1 to 3, were being shown as owners and possessors, in the revenue records, from 1988 onwards. Though, Sri Karnam Ramesh, learned counsel for the 6th respondent sought to deny this aspect, the fact remains that no such denial has been made by the 6th respondent. The counter affidavit of the 3rd respondent admits of such entries in favour of the petitioners 1 to 3.

10. The application of the 6th respondent, that he is entitled to pattadar pass books and title deeds and mutation of his name in the revenue record, came to be filed in the year-2014. There is no pleading that any claim of this nature was made prior to 2014. Thus, a claim has been raised before the revenue authorities, for mutation of revenue entries, after 71 years, if the

year-1943 is taken into account or at the very least 26 years, even if the year-1988 is taken as a starting point. The erstwhile High Court of Judicature of Andhra Pradesh at Hyderabad, had gone into the question whether such claims should be taken up by the revenue authorities and whether the revenue authorities are empowered to take up such claims after a long period of time. A Division Bench of the erstwhile High Court of Judicature of Andhra Pradesh at Hyderabad, in the case of *Government of Andhra Pradesh & Ors Vs. Chilla Ramarao & Ors*¹ had held in the paragraph Nos.13, 14 & 16 as follows:-

"13. It is well settled that even where no limitation is prescribed to exercise the revisional power, the Courts have held that such revisional power should be exercised within a reasonable time. In K. Venkat Reddy v. Director of Settlements, 1975 (1) APLJ 111, a Division Bench of this Court has considered the contention that the revisional power conferred on the Director of Settlements can be exercised only within a reasonable time and that the said power exercised after a long lapse of 7 years from the date of ground pattas to the appellants therein cannot be said to have been exercised within a reasonable period and held:

"The only limitations to which the power is subject are that the revisional authority should not trench upon the powers which are expressly reserved by the Act, or the rules to other authorities and should not ignore, the limitations inherent in the exercise of those powers.

14. In A.Konda Rao v. Government of A.P. represented by the District Collector, Srikakulam, 1981 (II) APLJ 158 = 1981 (2) ALT 280 (DB), the appellants therein were granted pattas under the provisions of the Act in the years 1959 and 1960 by the Settlement Officer after an enquiry under the provisions of the Act and the grant of pattas stood unchallenged for number of years. When the orders of the Settlement Officer granting pattas to the appellants therein under the Act which became final and remained unchallenged for number of years, were sought to be disturbed in exercise of the suo motu revisional powers conferred on the Director of Settlements under Section 5(2) of the Act, the Division Bench, dealing with the question whether the Director of Settlements was justified in exercising the suo motu revisional power conferred under Section 5(2) of the Act, held-

"There can be no doubt that where no period of limitation is prescribed by the Act or the Rules made thereunder for the exercise of the suo motu power of revision, the

¹ 2002 (6) ALD 299 (DB)

*exercise of the power cannot be impugned on the ground that it is barred by limitation. No period of limitation can be imposed otherwise than by statute or the rules made thereunder. But, nonetheless, merely because power is vested in an authority to revise the orders of the subordinate authorities *suo motu*, as observed by our learned Brother Jeevan Reddy, J., in the order under appeal, "the power has to be exercised within a reasonable time." In our view in cases where no period of limitation is prescribed under the statute or the rules made thereunder for exercise of revisional powers *suo motu*, the question for consideration is not whether the exercise of the power is barred by limitation for in the absence of a period of limitation prescribed under the Act, the question of bar of limitation cannot arise - it is a question of the reasonable period of limitation within which that power should be exercised where the question is one exercising that power within a reasonable time and what is reasonable period would undoubtedly be dependant upon the facts and circumstances of each case."*

16. Another Division Bench of this Court in *S.P. Dharma Reddy v. Director of Settlements, A.P., Hyderabad, WA No.1521 of 1988*, held that exercise of revisional power by the Director of Settlements under section 5(2) of the Act after a lapse of 27 years from the date of grant of patta is unreasonable and oppressive. Recently, another Division Bench of this Court in *P-Mangamma v. Women's Co-op. Housing Society Limited, 1995 (3) ALD 594 (DB)*, speaking through one of us (S.R. Nayak, J), held that the action of the District Collector in invoking the *suo motu* revisional power under Section 166-B of Andhra Pradesh (Telangana Area) Land Revenue Act, 1317-F, after a lapse of 31 years from the date of assignment of the land is unreasonable and violative of the doctrine of fair-play in action.

11. In another Judgment, a Division Bench of the erstwhile High Court of Judicature of Andhra Pradesh at Hyderabad, in the case of *M.B. Ratnam & Ors Vs. Revenue Divisional Officer, Ranga Reddy District & Ors*², on the question of delay and latches, in the revenue proceedings had held in the paragraph Nos.51 & 52 of the Judgment as follows:-

"51. The entries in the record of rights are made after holding public enquiries. The entries made in the record of rights carry with them a great evidentiary value, sometimes they constitute the only evidence available in order to establish one's title to the lands. The record of rights is thus prepared, maintained and updated by public servants in discharge of their official duties. It would be impossible

² 2003 SCC online AP 86: (2003) 1 ALD 826 : (2003) 1 ALT 688

to accept that the entries made in the record of rights in the instant case which remained in the record for a period of over 10 years have not been noticed by the respondents until they have preferred the appeals before the appellate authority. The vague explanation offered by the respondents about the entries and the orders passed by the Mandal Revenue Officer, is totally unacceptable.

52. For the aforesaid reasons, we are of the considered opinion that the so-called appeals preferred by the respondents herein ought not to have been entertained by the appellate authority after long lapse of more than 10 years virtually unsettling the settled rights of the parties. The rights accrued in favour of the petitioners cannot be set aside resulting in miscarriage of justice.

12. A similar issue of suo-moto exercise of revisional power under the Andhra Pradesh (Telangana Area) Land Revenue Act, 1317, after a long lapse of time, on the ground of fraud or irregularity came to be considered by the Hon'ble Supreme Court of India, in the case of Joint Collector Ranga Reddy District & Anr Vs. D. Narsing Rao & Ors³, after noticing various Judgments on this issue, the Hon'ble Supreme Court of India had held as follows, in the paragraph Nos.16 & 17 of the Judgment:-

"16. No time-limit is prescribed in the above section for the exercise of suo motu power but the question is as to whether the suo motu power could be exercised after a period of 50 years. The Government as early as in the year 1991 passed an order reserving 477 acres of land in Survey Nos. 36 and 37 of Gopanpally Village for house sites to the government employees. In other words, the Government had every occasion to verify the revenue entries pertaining to the said lands while passing the Government Order dated 24-9-1991 but no exception was taken to the entries found. Further the respondents herein filed Writ Petition No. 21719 of 1997 challenging the Government Order dated 24-9-1991 and even at that point of time no action was initiated pertaining to the entries in the said survey numbers. Thereafter, the purchasers of land from Respondents 1 and 2 herein filed a civil suit in OS No. 12 of 2001 on the file of the Additional District Judge, Ranga Reddy District praying for a declaration that they were lawful owners and possessors of certain plots of land in Survey No. 36, and after contest, the suit was decreed and said decree is allowed to become final. By the impugned notice dated 31-12-2004 the suo motu revision power under Section 166-B referred to above is sought to be exercised after five decades and if it is allowed to do so it would lead to anomalous position leading

³ (2015) 3 SCC 695

to uncertainty and complications seriously affecting the rights of the parties over immovable properties.

17. In the light of what is stated above we are of the view that the Division Bench [Collector v. D. Narasing Rao, 2010 SCC OnLine AP 406 : (2010) 6 ALD 748] of the High Court was right in affirming the view of the learned Single Judge of the High Court that the suo motu revision undertaken after a long lapse of time, even in the absence of any period of limitation was arbitrary and opposed to the concept of rule of law.”

13. Applying the aforesaid principles, it must be held that the revenue authorities could not have entertained any application, after a lapse of 71 years if 1943 is taken into account or more than 26 years if the year-1988 is taken into account.

14. Apart from this, another facet is the observation of the RDO, while dismissing the appeal filed by the 6th respondent. The RDO, after considering the rival claims of both the petitioners as well as the 6th respondent had held that certain complicated questions of fact were raised and the appropriate forum would be the Civil Court. Apart from this, Section 8(2) of the ROR Act, 1971, stipulates:-

“Section-8:-Bar of Suits:-

(1).....

(2) If any person is aggrieved as to any rights of which he is in possession by an entry made in any record of rights he may institute a suit against any person denying or interested to deny his title to such right for declaration of his right under Chapter VI of the Specific Relief Act, 1963 (Central Act 47 of 1963) and the entry in the record of rights shall be amended in accordance with any such declaration.”

15. This provision requires a suit to be filed where entries denying the title of a person have already been made. The 6th respondent having deliberately chosen to approach the revenue authorities, under the provisions of the Act, 1971, instead of attempting to demonstrate his title and possession over the land, cannot now seek relief under the provisions of the Act, 1971.

16. For these reasons, it must be held that the impugned Order, dated 19.09.2017, vide D.Dis.No.3630/2015/D4, passed by the 3rd respondent-Joint Collector, is arbitrary and without jurisdiction.

17. Accordingly, this Writ Petition is allowed, setting aside the impugned Order, dated 19.09.2017, vide D.Dis.No.3630/2015/D4, passed by the 3rd respondent-Joint Collector. There shall be no order as to costs.

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

R RAGHUNANDAN RAO, J

Date: 02.01.2026

BSM

HON'BLE SRI JUSTICE R RAGHUNANDAN RAO

WRIT PETITION No.34879 of 2017

02-01-2026

BSM