

*** THE HONOURABLE SRI JUSTICE RAVI NATH TILHARI**

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***THE HONOURABLE SRI JUSTICE SUBHENDU SAMANTA**

+WRIT APPEAL No.483 OF 2026

%23.06.2026

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- 1.SRI KUDITHI GURAYYA,, S/O LATE RAMUDU, AGE ABOUT 48 YEARS, R/O D. NO. 3-67, SOWBHAGYARAYAPURAM VILLAGE, JUTTADA POST, PENDURTHI MANDAL, VISAKHAPATNAM - 531173.
- 2.SRI KUDITHI SRINIVASA RAO, S/O LATE RAMUDU, AGE ABOUT 45 YEARS, R/O D. NO. 3-61, SOWBHAGYARAYAPURAM VILLAGE, JUTTADA POST, PENDURTHI MANDAL, VISAKHAPATNAM - 531173.

...APPELLANTS

And:

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- 1.SMT AKULA GOWRI SUDHA, D/O. AKULA CHELLA RAO, AGED ABOUT 39 YEARS R/O. D. NO. 10-16, PAPAYYA RAJU PALEM, SUJATHA NAGAR POST, PENDURTHI MANDAL, VISAKHAPATNAM.
- 2.SMT SABHAVAT USHA KALYANI, W/O. DR. S SATYA PRASAD AGED ABOUT 36 YEARS, R/O. D. NO. 2-4, SUJATHA NAGAR MAIN ROAD, CHINA MUSHIDIWADA, PENDURTHI MANDAL, VISAKHAPATNAM - 51.
- 3.THE STATE OF ANDHRA PRADESH, REP. BY ITS PRINCIPAL SECRETARY, REVENUE DEPARTMENT, SECRETARIAT, VELAGAPUDI, AMARAVATI - 522237,
- 4.THE DISTRICT COLLECTOR CUM REVISION AUTHORITY/ JOINT COLLECTOR, VISAKHAPATNAM, VISAKHAPATNAM DISTRICT – 530001
- 5.THE REVENUE DIVISIONAL OFFICER/ APPELLATE AUTHORITY AND DISTRICT REVENUE OFFICER, VISAKHAPATNAM - 530001.

6.THE TAHSIDAR, PENDURTHI MANDAL, VISAKHAPATNAM
DISTRICT – 531173

7.SRI YERUKONDA RAMANA VAMSI, S/O LAKSHMANA RAO, AGE
ABOUT 35 YEARS, R/O D. NO. 3-62, SOWBHAGYARAYAPURAM
VILLAGE, JUTTADA POST, PENDURTHI MANDAL,
VISAKHAPATNAM - 531173. (RESPONDENT NO.7 IS NOT
NECESSARY PARTY IN THIS APPEAL)

...RESPONDENT(S):

!Counsel for the appellants : Sri V.V.SATISH

^Counsel for the respondents : 1. G.P. FOR REVENUE
2. JAVVAJI SARATH CHANDRA

<Gist:

>Head Note:

? Cases referred:

HIGH COURT OF ANDHRA PRADESH

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WRIT APPEAL No.483 of 2026

DATE OF JUDGMENT PRONOUNCED: 23.06.2026

SUBMITTED FOR APPROVAL:

THE HON'BLE SRI JUSTICE RAVI NATH TILHARI

&

THE HON'BLE SRI JUSTICE SUBHENDU SAMANTA

- 1. Whether Reporters of Local newspapers Yes/No
may be allowed to see the Judgments?**
- 2. Whether the copies of judgment may be Yes/No
marked to Law Reporters/Journals**
- 3. Whether Your Lordships wish to see the Yes/No
fair copy of the Judgment?**

RAVI NATH TILHARI, J

SUBHENDU SAMANTA, J

Neutral Citation: _____

Date of reserved for orders : -
Date of pronouncement : 23.06.2026
Date of uploading : 01.07.2026

APHC010216192026



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

[3562]

TUESDAY, THE TWENTY THIRD DAY OF JUNE
TWO THOUSAND AND TWENTY SIX

PRESENT

THE HONOURABLE SRI JUSTICE RAVI NATH TILHARI

THE HONOURABLE SRI JUSTICE SUBHENDU SAMANTA

WRIT APPEAL NO: 483/2026

Writ Appeal under clause 15 of the Letters Patent to allow the Writ Appeal by setting aside the order in W.P. No. 10221 of 2026, dated 17-04-2026 passed by learned single judge

Between:

- 1.SRI KUDITHI GURAYYA,, S/O LATE RAMUDU, AGE ABOUT 48 YEARS, R/O D. NO. 3-67, SOWBHAGYARAYAPURAM VILLAGE, JUTTADA POST, PENDURTHI MANDAL, VISAKHAPATNAM - 531173.
- 2.SRI KUDITHI SRINIVASA RAO, S/O LATE RAMUDU, AGE ABOUT 45 YEARS, R/O D. NO. 3-61, SOWBHAGYARAYAPURAM VILLAGE, JUTTADA POST, PENDURTHI MANDAL, VISAKHAPATNAM - 531173.

...APPELLANT(S)

AND

- 1.SMT AKULA GOWRI SUDHA, D/O. AKULA CHELLA RAO, AGED ABOUT 39 YEARS R/O. D. NO. 10-16, PAPAYYA RAJU PALEM, SUJATHA NAGAR POST, PENDURTHI MANDAL, VISAKHAPATNAM.

- 2.SMT SABHAVAT USHA KALYANI, W/O. DR. S SATYA PRASAD
AGED ABOUT 36 YEARS, R/O. D. NO. 2-4, SUJATHA NAGAR MAIN
ROAD, CHINA MUSHIDIWADA, PENDURTHI MANDAL,
VISAKHAPATNAM - 51.
- 3.THE STATE OF ANDHRA PRADESH, REP. BY ITS PRINCIPAL
SECRETARY, REVENUE DEPARTMENT, SECRETARIAT,
VELAGAPUDI, AMARAVATI - 522237,
- 4.THE DISTRICT COLLECTOR CUM REVISION AUTHORITY/ JOINT
COLLECTOR, VISAKHAPATNAM, VISAKHAPATNAM DISTRICT –
530001
- 5.THE REVENUE DIVISIONAL OFFICER/ APPELLATE AUTHORITY
AND DISTRICT REVENUE OFFICER, VISAKHAPATNAM - 530001.
- 6.THE TAHSIDAR, PENDURTHI MANDAL, VISAKHAPATNAM
DISTRICT – 531173
- 7.SRI YERUKONDA RAMANA VAMSI, S/O LAKSHMANA RAO, AGE
ABOUT 35 YEARS, R/O D. NO. 3-62, SOWBHAGYARAYAPURAM
VILLAGE, JUTTADA POST, PENDURTHI MANDAL,
VISAKHAPATNAM - 531173. (RESPONDENT NO.7 IS NOT
NECESSARY PARTY IN THIS APPEAL)

...RESPONDENT(S):

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 to suspend the orders passed by the learned single judge in W.P No.10221 of 2026 dated 17-04-2026 pending disposal of the Writ Appeal

Counsel for the Appellant(S):

- 1.V V SATISH

Counsel for the Respondent(S):

- 1.GP FOR REVENUE
- 2.JAVVAJI SARATH CHANDRA

The Court made the following:

THE HONOURABLE SRI JUSTICE RAVI NATH TILHARI

THE HONOURABLE SRI JUSTICE SUBHENDU SAMANTA

WRIT APPEAL NO: 483/2026

JUDGMENT:*(per Hon'ble Sri Justice Ravi Nath Tilhari)*

1. Heard Sri V.V.Satish, learned counsel for the appellants and Ms.M.Abhigna, learned counsel representing Sri Javvaji Sarath Chandra, learned counsel for respondents 1 and 2 and learned Government Pleader for Revenue appearing for respondents 3 to 6.
2. The writ appellants are respondents Nos.5 and 6; Respondents Nos.1 and 2 herein are the writ petitioners; and the remaining respondents are the other respondents in the writ petition.
3. This writ appeal is directed against the interim order, dated 17.04.2026, passed by learned Single Judge of this Court in W.P.No.10221 of 2026.
4. The writ petitioners filed W.P.No.10221 of 2026 challenging the order dated 02.01.2026 passed by respondent No. 2 (4th respondent herein) in R.P. No. 06 of 2025 upholding the order passed by respondent No.3 (5th respondent herein) in D.Dis.No.125 of 2024, dated 18.02.2025, contending that the order impugned are arbitrary, illegal, and contrary to the provisions of the Andhra Pradesh Rights in Land and Pattadar Pass Books Act, 1971.
5. At the stage of admission, learned Single Judge has passed the impugned interim order, which reads as follows:

“When this Court queried a question to the learned counsel for the respondents as to what are the three grounds to exercise Certiorari jurisdiction, he is unable to answer the query raised by this Court.

Hence, there shall be an interim direction as prayed for, for a period of six (06) weeks.

List the matter after Summer Vacation, 2026.”

6. The impugned order makes it evident that a query was raised by learned Single Judge in the writ petition to the learned counsel for the respondents therein regarding the grounds on which a writ of Certiorari could be issued and the learned counsel could not answer the query. So, the interim direction as prayed for was granted in favour of the writ petitioners.
7. A Coordinate Bench of this Court, on 05.05.2026, while admitting the writ appeal, has granted interim suspension of the impugned order. The interim order reads as under:

“...there shall be interim suspension of the impugned order dated 17.04.2026 passed in writ petition No.10221 of 2026, till the next date of hearing.”

8. It would not be out of place to mention the settled principle of law that the plaintiff in a suit should not succeed on the weakness of the defendant's case. He has to stand on his own legs. Similarly, unless a case for grant of interim order was made out, the interim order could not be passed only on the failure of the respondents' counsel to state the grounds on which Writ of Certiorari could be issued. The respondents had not challenged the orders. It was for the writ petitioner to prima facie satisfy the grounds for issuance of a writ of Certiorari and the

grounds involved in the writ petition and thereby make out a case for the grant of interim relief.

9. There is also no consideration of the case of the writ petitioners or of the respondents, even prima facie.
10. The impugned order cannot be sustained and is hereby set aside.
11. The writ petition is pending. The application seeking interim relief is pending. The same deserves to be considered in accordance with law, with opportunity of hearing to the parties.
12. The writ appeal is allowed in the aforesaid terms.
13. Learned counsel for the respondents Nos.1 and 2 submits urgency for consideration of the interim prayer. If it is so, the appropriate course in the writ petition is open to the writ petitioners.
14. There shall be no order as to costs.
15. Miscellaneous petitions, if any, pending in this writ appeal shall stand closed.

JUSTICE RAVI NATH TILHARI

JUSTICE SUBHENDU SAMANTA

Date:23.06.2026

Note: LR copy to be marked.

b/o.BV

Whether the order is:

Speaking	Yes/No	Reasoned	Yes/No
Reportable	Yes/No	Non-reportable	Yes/No