Date of reserved for orders :

Date of pronouncement : 29.06.2026

Date of uploading :

APHC010306072026

IN THE HIGH COURT OF ANDHRA PRADESH
AT AMARAVATI **[3311]**
(Special Original Jurisdiction)

Monday, the 29th day of June, 2026

Present

The Honourable Ms. Justice B. S. Bhanumathi

Writ Petition No.15909 of 2026

Between:

1. Degala Tirumala Rao, S/o. Degala Hanumaiah, aged about 41 years, R/o. 113, Thalluru village, Phirangipuram Mandal, Guntur District, Andhra Pradesh-522529.

...Petitioner

and

1. The State of Andhra Pradesh, represented by its Principal Secretary, Revenue Department, Secretariat Buildings, Velagapudi, Amaravati, Guntur District – 522 237.
2. The Joint Collector, Guntur, Guntur District – 522 001.
3. The Revenue Divisional Officer, Guntur, Guntur District -522 001.
4. The Tahsildar, Phirangipuram Mandal, Guntur District – 522 529.
5. The Sub-Registrar, Phirangipuram, Guntur District - 522 529.
6. Gaddam Prakash Kamari, W/o. Prakasa Rao, R/o. Thalluru village, Phirangipuram Mandal, Guntur District, Andhra Pradesh - 522 529.

...Respondents

Counsel for the petitioner:

1. K. Srinivas

Counsel for the respondents:

1. Government Pleader for Revenue

The Court made the following Order:

This writ petition is filed under Article 226 of the Constitution of India to issue a writ or order or direction more particularly one in the nature of writ of mandamus declaring the action of the respondent No.4 in issuing the impugned proceeding vide order dated 13.06.2026 as illegal, arbitrary, and violative of the fundamental rights guaranteed under Articles 14, 19 and 300-A of the Constitution of India and contrary to the express provisions of the Andhra Pradesh Rights in Land and Pattadar Passbooks Act, 1971 and consequently, set aside the same, and to pass such other order, which this Court deems fit in the interest of justice.

02. The case of the petitioner, in brief, is as follows:

The petitioner is an absolute owner and possessor of Ac.0.40 cents in S. No. 251-E1A (part of original S. No. 251), situated in village 113, Thalluru, Phirangipuram Mandal, Guntur District. The petitioner leased out 900 square meters or 1076.4 square yards out of Ac.0.40 cents and executed a lease agreement vide agreement No. 16476 of 2021 dated 31.07.2021. The petitioner still has 0.17 cents in the said survey number. However, to the shock and dismay of the petitioner, the respondent No. 4 passed order dated 13.06.2026 mutating the name of the respondent No.6 in the revenue records to an extent of Ac.0.08 cents out of 0.17 cents of the petitioner on receipt of the mutation proceeding dated 13.06.2026 through a mobile message alert. The petitioner immediately submitted a detailed representation / objection to the respondent No. 4 on 15.06.2026. No action has been taken on the objection / representation of the petitioner. Hence, this writ petition was filed.

03. The learned Assistant Government Pleader for Revenue placed on record a copy of written instructions of the respondent No. 4 vide Rc.No.

191/2026-A dated 19.06.2026 wherein it is mainly stated that the petitioner filed his response dated 15.06.2026 to the notice in Form-8 dated 13.06.2026 and that the matter is being enquired into as 15 days time mentioned in the notice expires only on 28.06.2026, but, without waiting till expiry of the period in the notice, the writ petitioner approached this Court.

04. The learned Assistant Government Pleader for Revenue submitted that the speaking order would be passed by the respondent No. 4 since the period of time stipulated in the notice expired.

05. The learned counsel for the writ petitioner submitted that the proceeding dated 13.06.2026 is a final order mutating the name of the respondent No. 6 without hearing the petitioner. In this regard, he further submitted that the proceeding dated 13.06.2026 indicated at its foot note that if any party is aggrieved by the order can prefer appeal within 60 days before the appellate authority and the petitioner was made to approach the Court for violation of principles of natural justice in carrying out the mutation in the revenue records without proper notice.

06. Clarifying the circumstances, the learned Assistant Government Pleader for Revenue submitted that it is only a proforma as provided in Form-8, but enquiry was not conducted and impugned proceeding dated 13.06.2026 is not a final order. He further submitted that it is only a draft, calling for objections and it reflects both the existing record and the proposed changes and it also calls for objections, if any, giving 15 days time, but the foot note, which is not in the proforma, created the confusion. Further, the written instructions clarified that enquiry was not completed.

07. In response thereto, the learned counsel for the petitioner submitted that there should not be any coercive action against the petitioner before the order is passed on merits by considering the representation dated 15.06.2026 submitted by the petitioner.

08. As the time given in the notice dated 13.06.2026 expired yesterday i.e., 28.06.2026 only, basing on the representation given by the petitioner dated 15.06.2026, the respondent No. 4 can pass appropriate order. The foot note in the impugned proceeding dated 13.06.2026, which could be a mistake as the Form-8 doesn't contain such statement, caused confusion in the mind of the petitioner. However, in view of the specific written instructions of the respondent No. 4 that it is not the final order and it is only a Form-8 notice and that the representation of the petitioner dated 15.06.2026 was received, a final order is yet to be passed.

09. Accordingly, the writ petition is disposed of directing the respondent No. 4 to pass a speaking order considering the representation of the petitioner dated 15.06.2026.

There shall be no order as to costs.

Consequently, miscellaneous petitions, if any, pending in this writ petition shall stand closed.

JUSTICE B.S. BHANUMATHI

Date: 29.06.2026

Note: CC by 30.06.2026

GRL

Whether the order is :

Speaking	Yes	Reasoned	-
Reportable	-	Non-reportable	Yes

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THE HONOURABLE MS JUSTICE B.S.BHANUMATHI

WRIT PETITION NO:15909 of 2026

Date: 29.06.2026
Note:
CC by 30.06.2026
GRL