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APHC010200022026

IN THE HIGH COURT OF ANDHRA PRADESH
AT AMARAVATI [3330]
(Special Original Jurisdiction)

TUESDAY, THE 7th DAY OF JULY 2026

PRESENT
THE HONOURABLE SRI JUSTICE TARLADA RAJASEKHAR RAO

WRIT PETITION No.10871 of 2026

Between:

1. NUTHALAPATI VARALAKSHMI,, W/O. KRISHNARJUNA RAO, AGED ABOUT 82 YEARS, R/O. FLAT.NO.504, RAMA HEIGHTS APARTMENT, TARAKA RAMA NAGAR, JKC COLLEGE ROAD, GUNTUR, GUNTUR DISTRICT, A.P - 522006.

...PETITIONER

AND

1. THE STATE OF ANDHRA PRADESH, REP.BY ITS PRINCIPAL SECRETARY, WOMEN DEVELOPMENT AND CHILD WELFARE DEPARTMENT, SECRETARIAT BUILDINGS, VELAGAPUDI, AMARAVATI, GUNTUR DISTRICT, A.P-522237.
2. THE APPELLATE TRIBUNAL UNDER MAINTENANCE AND WELFARE OF PARENTS, AND SENIOR CITIZENS ACT,2007 CUM THE HONBLE DISTRICT COLLECTOR, GUNTUR DISTRICT, ANDHRA PRADESH.522004
3. THE TRIBUNAL UNDER MAINTENANCE AND WELFARE OF PARENTS, AND SENIOR CITIZENS ACT, 2007 CUM THE REVENUE DIVISIONAL OFFICER, GUNTUR DISTRICT, ANDHRA PRADESH.522004
4. THE DISTRICT REGISTRAR, STAMPS AND REGISTRATION DEPARTMENT, GUNTUR DISTRICT, ANDHRA PRADESH.522004
5. THE JOINT SUB REGISTRAR, SUB REGISTRAR OFFICE, TADIKONDA, GUNTUR DISTRICT, ANDHRA PRADESH. 522236
6. THE TAHSILDAR, THULLUR MANDAL, GUNTUR DISTRICT. 522237

7. KONDAVEETI ANURADHA, D/O. N. VARALAKSHMI, W/O. KONDAVEETI VENKATA RAMAYYA, AGED ABOUT 57 YEARS, R/O. VIPPARLA VILLAGE, KROSURU MANDAL, PALANADU DISTRICT, ANDHRA PRADESH.522410

...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 Graciously be pleased to A) Issue a Writ, Order or Direction more particularly one in the nature of Writ of Certiorari, calling for the entire records, pursuant to the impugned order passed by the 3rd respondent in Original Petition No.1273/2025-G, including the video recording of the petitioner s personal examination conducted and recorded under the supervision of 3 respondent on 17-10-2025, and after perusing the same, quash the impugned order dated 04-12-2025 passed by the 3rd respondent in the said O.P.No.1273/2025-G, whereby the respondent instead of adjudicating the petitioner s application under Section 23 of the Maintenance and Welfare of Parents and Senior Citizens Act, 2007 for cancellation of the Gift Deed (Document No. 2549 of 2018), due to her complete neglect, abandonment and failure to provide basic amenities and particularly during the petitioner s severe health crisis including hospitalization for kidney failure, dialysis, and heart problem the intent to proceed to administer an NDS injection which would have caused petitioner s death within 10-12 hours, mechanical order directing payment of maintenance the said order being illegal, arbitrary, perverse, unjust and unsustainable care and passed a and violative of the Petitioner s fundamental rights under Articles 14 and 21 of the Constitution of India, and contrary to the law laid down by the Hon ble Supreme Court in Urmila Dixit vs. Sunil Sharan Dixit and Ors. (2025 INSC 20, dt. 02.01.2025), the Hon ble Madras High Court s order in S. Mala vs. District Arbitrator and District Collector and Ors. (W.A. No. 3582 of 2024, dt. 06.03.2025), and the recent Hon ble Delhi High Court s judgment in Smt. Varinder Kaur vs. Smt. Daijit Kaur and Ors. (LPA 587/2025, dt. 26.09.2025), and the Hon ble High Court of Telangana in W.P.No.15033 of 2025, dated 18-09-2025 B) And Consequently, Set Aside the impugned order passed by the 3rd respondent in Original Petition.No.1273/2025-G, dated 04-12- 2025 and declare the Gift Deed (Document No.2549 of 2018) as null and void under Section 23(1) of the Maintenance and Welfare of Parents and Senior Citizens Act, 2007, and cancel the same and restore the property to the petitioner, as per the beneficial piece of legislation which was enacted in favor of senior citizens and as upheld by the

Hon ble Apex Court., due to the 7th respondents complete neglect, abandonment and failure to provide basic amenities and care, particularly during the petitioner s severe health crises including hospitalization for kidney failure, dialysis, and heart problem, and the intent to proceed to administer an NDS Injection which would have caused the petitioner s death within 10- 12 hours.

Counsel for the Petitioner:

1. DEVI PRASAD MANGALAPURI

Counsel for the Respondent(S):

1. GP FOR WOMEN DEV CHILD WELFARE
2. SIVA RAMA KRISHNA KOLLURU
3. GP FOR REGISTRATION AND STAMPS

The Court made the following:

THE HONOURABLE SRI JUSTICE TARLADA RAJASEKHAR RAO

WRIT PETITION No.10871 of 2026

ORDER:-

The writ petitioner herein filed O.P.No.1273 of 2025 before the 3rd respondent invoking the provisions of the Maintenance and Welfare of Parents and Senior Citizens Act, 2007 (for short, 'the Act 2007'). The said O.P. was allowed in part instead of cancelling the gift deed, as prayed, executed by the petitioner herein, the 3rd respondent has ordered to pay maintenance to the petitioner. Against the said order, an appeal is maintainable under Section 16 of the Act 2007. Aggrieved by the said order of the 3rd respondent, the unofficial 7th respondent has preferred a Writ Petition No.7583 of 2026 before this Court. The unofficial 7th respondent has withdrawn the said Writ Petition today. Now the writ petitioner in the present Writ Petition is intended to invoke alternative remedy of appeal and prayed this Court to withdraw the present Writ Petition with a liberty to invoke the provisions of the Maintenance and Welfare of Parents and Senior Citizens Act, 2007.

2. Accordingly, the Writ Petition is disposed of and the writ petitioner is at liberty to invoke the provisions of the Maintenance and Welfare of Parents and Senior Citizens Act, 2007, by filing an appeal under Section 16 of the Act 2007 within a period of three weeks from

today and, on filing such application, the authorities concerned are directed to dispose of the said application in accordance with law, as expeditiously as possible. There shall be no order as to costs.

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

JUSTICE TARLADA RAJASEKHAR RAO

Date: 07.07.2026

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Whether the order is:

Speaking **Yes**/No / Reasoned Yes/No

Reportable Yes/**No** / Non-reportable Yes/No

THE HONOURABLE SRI JUSTICE TARLADA RAJASEKHAR RAO

Writ Petition No.10871 of 2026

07.07.2026

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