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APHC010518642024

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

MONDAY, THE 13th DAY OF JULY 2026

PRESENT
THE HONOURABLE SRI JUSTICE TARLADA RAJASEKHAR RAO

WRIT PETITION No.26889 of 2024

Between:

1. P S RAO HOUSING AND RESORTS PRIVATE LTD HYDERABAD, HYDERABAD REP. BY ITS MANAGING DIRECTOR, PERLA SRINIVASA RAO, S/O. LATE PERLA NARASIMHA RAO, AGED ABOUT 48 YEARS, R/O. PLOT NO.201, SAI NIVAS, D.NO.48-19-4/1, VINAYAKA TEMPLE ROAD, NEAR AYUS HOSPITAL, SRI RAM CHANDRA NAGAR, VIJAYAWADA, NTR DISTRICT ERSTWHILE KRISHNA DISTRICT.

...PETITIONER

AND

1. THE STATE OF ANDHRA PRADESH, REP. BY THE PRINCIPAL SECRETARY REVENUE (ASSIGNED-I) DEPARTMENT SECRETARIAT BUILDINGS, AT VELAGAPUDI AMARAVATI, ANDHRA PRADESH.
2. THE DISTRICT COLLECTOR, VIZIANAGARAM, VIZIANAGARAM DISTRICT.
3. THE REVENUE DIVISIONAL OFFICER, VIJAYANGARAM DIVISION, VIZIANAGARAM. VIZIANAGARAM DISTRICT.
4. THE TAHSILDAR, BOGAPURAM MANDAL, VIZIANAGARAM DISTRICT.
5. THE COMMISSIONER, ENDOWMENT DEPARTMENT, O/O. ENDOWMENT DEPARTMENT, GOLLAPUDI, VIJAYAWADA, NTR DISTRICT.
6. THE ASSISTANT COMMISSIONER, ENDOWMENT

DEPARTMENT O/O. ENDOWMENT DEPARTMENT VIZIANAGARAM, VIZIANAGARAM DISTRICT.

...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 a Writ, One in the nature of a Writ of Mandamus or any other appropriate Wirt, Direction or Order questioning the proceedings issued by the 6th respondent vide Rc.No.A1/2016/2022 11.11.2024 rejecting the application made by the petitioner for deleting the land an extent of Ac.3.86 cents in Sy.No.34/1A-1 situated at Gudepuvalasa Village, Bogapuram Mandal, Vizianagaram District from the prohibited list U/s.22-A(1)(C) through online application dated 02.07.2024 is illegal, arbitrary and against the own records of the Endowments Department and violative of Article14 and 21 Constitution of India and consequently set-aside the proceedings of the 6th respondent vide Rc.No.A1/2016/2022 dated 11.11.2024.

Counsel for the Petitioner:

1. URIMILA RANI PATRO

Counsel for the Respondent(S):

1. CHINTAPALLI SRINIVAS
2. GP FOR REVENUE
3. GP FOR ENDOWMENTS

The Court made the following:

THE HON'BLE SRI JUSTICE TARLADA RAJASEKHAR RAO

WRIT PETITION No.26889 OF 2024

ORDER:

The facts are stated in the following in a seriatim for disposal of the Writ Petition effectively:

The petitioner herein purchased the land to an extent of Acs.3.86 cents out of Acs.6.59 cents in Sy.No.34-1 through a registered sale deed vide Doc.No.6084 of 2012 dated 09.08.2012 from the vendor one Vijaya Lakshmi registered in the office of Sub-Registrar, Bogapuram. Since then the petitioner is in peaceful possession and enjoyment of the said property and subsequently the said survey number was allotted sub-division number 34-1A1. While so, the petitioner herein has applied for approval of the layout. After examining the application of the petitioner, the Chief Urban Planner has approved the plan by allotting L.P.No.53/2013 dated 23.12.2013 and the petitioner herein have sold the property to third parties following the procedure under the Andhra Pradesh Urban Areas (Development) Act, 1975. When the petitioner herein submitted the document for registration to the Registrar, the Sub-Registrar allotted P.No.2624 dated 02.08.2022. Later the document

was refused, as the said property is placed under prohibited list under Section 22-A(1)(C) of the Registration Act, 1908.

2. Subsequently, the petitioner herein made an application/ representation dated 02.07.2024 to the authorities for deletion of the land from the prohibited list. Owing to the lackadaisical approach of the respondents and the non-disposal of the petitioner's representation, dated 02.07.2024, the petitioner has been constrained to file W.P.No.19268 of 2024. A learned Single Judge of this Court, vide order dated 04.09.2024, directed the respondents to consider the representation submitted by the writ petitioner dated 02.07.2024 and to pass a speaking order stipulating time. Accordingly, the Assistant Commissioner has passed the impugned order dated 11.11.2024, rejecting/denying the application filed for deletion of the land from the prohibited list.

3. The said order of the 6th respondent issued vide Rc.No.A1/2016/2022 dated 11.11.2024 in denying the deletion of the land from the prohibited list under Section 22-A(1)(C) of the Registration Act, 1908 to an extent of Acs.3.86 cents in Sy.No.34/1A-1 situated at Gudepuvalasa Village, Bogapuram Mandal, is under challenge in the present Writ Petition on the grounds, that the petitioner has purchased

the property through valid registered sale deed and the respondents failed to state that the land was endowment land while registering the said land in the name of the petitioner herein and the respondent authorities have allotted L.P.No.53/2013 and the revenue records filed by the petitioner clearly suggests that the land is not endowment land and the respondents are not able to provide government correlation certificate for the said survey number and that clearly indicates that the land is a private land and it is not endowment land, and the 5th respondent addressed a letter to the District Collector (Ref: L1/COE-18022(35)/17/2022, dated 29.01.2023) recommending the removal / deletion of the land from the prohibited list. And further stated that, according to the RSR, the land in Sy.No.34/1A1 is neither endowment nor government land. Consequently, prayed to direct the respondents to delete the land from the prohibited list under Section 22-A(1)(C) of the Registration Act, 1908.

4. The 6th respondent, i.e., the Commissioner of Endowments Department, filed counter affidavit and it is asserted that Sri Kommuru Appadu Dora Trust is a Public Charitable Institution published under Section 6(c)(i) of the A.P.Charitable and Hindu Religious Institution and Endowments Act 30/1987 (for short, hereinafter called as ‘the Act 30 of

1987'), vide publication No.49 in proceedings Rc.No.J2/18817/2007 dated 27.06.2007 and the said Trust was created by Kommuru Appadu Dora on 15.04.1963 through a registered deed No.510/1963 and the said institution is a Charitable Institution and several landed properties in the different villages included in the Trust Deed executed by the founders and to an extent of Acs.22.06 cents in Sy.No.30A3A, 30A3E of Gudipuvalasa Village, Bhogapuram Mandal and the said survey numbers are recorded in 43(1) register under the Act 30 of 1987 and the same was registered by A1/2219/2015 dated 30.07.2015 and as per Section 46(3) of the Act 30 of 1987, it shall until contrary is established that all particulars entered in the register maintained are genuine and if any person aggrieved by an entry in the register maintained under Section 43 of the Act 30 of 1987 may apply to the Endowments Tribunal for modification or annulment of such entry and denied all the contentions raised by the petitioner herein.

5. It is further stated in the counter affidavit that the survey report submitted by the Surveyor clearly speaks that there is a cloud cast on the property, while subdividing into Sy.Nos.34/1A1, 31/1A2, 34/1B & 34/3B and it is settled law that the revenue records does not confer any title and according to the Full Bench of the erstwhile High Court of

Andhra Pradesh in ***Vijamuri Rajagopala Chary and others Vs. State of Andhra Pradesh*** reported in 2016(2) ALD 236, the remedy is to approach appropriate forum under the A.P.Endowments Act. Hence, prayed to dismiss the Writ Petition.

6. Heard Sri K.G.Krishna Murthy, learned senior counsel assisted by Smt. Urmila Rani Patro, learned counsel for the petitioner, and the learned Assistant Government Pleader for the respondents.

7. Learned Senior Counsel reiterated the facts set-forth in the writ affidavit and it is the primary contention that the respondent authorities have allotted L.P.No.53/2013 to the petitioner herein on 23.12.2013 and the Re-Survey Register (RSR) confirms that the subject property does not belong to the Endowments Department, and the revenue record also suggests that the land is a private land and the name of the vendor of the petitioner was shown as pattadar in the revenue records. Hence, prayed to allow the Writ Petition and to set aside the impugned order dated 11.11.2024 of the 6th respondent and consequently to direct the respondents to delete from the prohibited list under Section 22-A(1)(c) of the Registration Act, 1908.

8. As rightly argued by the learned counsel for the respondents, it is settled law that the revenue record does not confer any right, RSR is

only a *prima facie* evidence and the said subject property of the writ petition was registered under Section 43(10) of the Act 30 of 1987. The 5th respondent-Commissioner has only requested the 2nd respondent-District Collector to issue necessary direction to the concerned officials to identify in which survey number the property is situated for taking further action in the matter and there is no such recommendation made by the Commissioner, to delete the land from the prohibited list, as argued by the learned senior counsel. Merely mutating the name of the petitioner or the vendor of the petitioner in the revenue records does not confer any title.

9. In the Full Bench Judgement in ***Vinjamuri Rajagopala Chary and others Vs. State of Andhra Pradesh*** reported in 2016(2) ALD 236 (referred supra) held that the committee constituted by the Government is empowered to examine the relevant records and then pass a reasoned order either accepting or rejecting the grievance by either confirming or deleting or modifying any such property from the notified list of properties and such order passed by the Committee shall be binding on the State as well as on the aggrieved person and in the event of any of them being aggrieved thereby, they shall have to approach a competent Court of Law for redressal of their grievance.

10. Recently, a Division Bench's of this Court in W.P.(PIL) No.70 of 2022 and in W.A.Nos.888 & 899 of 2022, held that the remedy available to the aggrieved party for deletion of an entry in the register of properties maintained under Section 43 of the Act of 1987 prohibited for registration under Section 22A(l)(c) of the Act of 1908, is to approach the Endowments Tribunal under Section 45 read with Section 87 of the Act of 1987. In the present case, admittedly, the property in question which the petitioner claimed as owner has been registered and brought on the register maintained under Section 43 of the Endowments Act and, as per the judgments of the division bench referred supra, and in pursuance of Section 43(10) of the Act 30 of 1987, the remedy of the petitioner is before the Endowments Tribunal constituted under Section 87 of the Act 30 of 1987 and this Court cannot go into the disputed questions of facts, which could only be gone into before Endowment Tribunal under Section 87 of the Act 30 of 1987.

11. As per the judgments referred supra, and in pursuance of Section 43(10) of the Act 30 of 1987, the remedy of the petitioner is before the Endowments Tribunal constituted under Section 87 of the Act 30 of 1987. Therefore, the Writ Petition sans merits and, it is, accordingly, dismissed. However, no order as to costs.

As a sequel, Interlocutory Applications, if any, pending shall stand closed.

JUSTICE TARLADA RAJASEKHAR RAO

Date: 13.07.2026

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Whether the order is:

Speaking Yes/No / Reasoned Yes/No

Reportable Yes/No / Non-reportable Yes/No

THE HON'BLE SRI JUSTICE TARLADA RAJASEKHAR RAO

WRIT PETITION No.26889 OF 2024

Date: 13.07.2026

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