

HIGH COURT OF ANDHRA PRADESH AT AMARAVATI

C.C.No. OF 2024

IN

W.P.No.17294 OF 2023

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**DATE: .03.2024
AMARAVATI**

Counsel for the Petitioner

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MEMORANDUM OF CONTEMPT OF CASE

(UNDER SEC. 10 TO 12 OF CONTEMPT OF CASE OF COURTS ACT)

HIGH COURT OF ANDHRA PRADESH AT AMARAVATI

CONTEMPT CASE No. OF 2024

IN

W.P.No.17294 OF 2023

BETWEEN:

**Bommu Sridevi w/o Uma mahesswara Reddy
Aged 47 years
R/o. 7-73, Kaza Village,
Mangalagiri Mandal, Guntur District – 522503**

...Petitioner

AND

- 1. Shri Siva Sankar Lotheti S/onot known to the Petitioner,
Aged not known to the Petitioner,
District Collector, Narsaraopet
Palnadu District – 522 601.**
- 2. Shri. Seshi Reddy S/o not known to the Petitioner,
Aged not known to the Petitioner,
Revenue Divisional Officer,
Narasaraopet Revenue Division, Narasaraopet-522 601.**
- 3. Shri. V. Sujatha W/o not known to the Petitioner,
Aged not known to the Petitioner,
Tahsildar, Chilakaluripet Mandal, Palnadu District.**
- 4. Shri. Sri Srinivasa Rao S/o not known to the Petitioner,
Aged not known to the Petitioner,
Sub Registrar, Chilakaluripet, Palnadu District.**
- 5. Shri S. Satyanarayana S/o not known to the Petitioner,
Aged not known to the Petitioner,
Commissioner of Endowments Department,
Gollapudi, Vijayawada-521225.**

...Respondents

-2-

The address for service of all notices and process on the above-named
Petitioner is that of his counsel RAVI TEJA GUDE(23333), Advocate,
A.P.High Court, Door No.6-16-49, 3rd Floor, Mekapati Pride, 16/3,
Arundelpet, Guntur-522002. Mobile: 8121687977.

For the reasons stated in above this Hon'ble Court may be pleased to
issue notice to the Respondents herein and punish under sections 10 to 12 of
the Contempt of Courts Act, 1971 for their willful disobedience of the
orders dated 05.10.2023 in W.P.NO.17294 OF 2023 passed by this Hon'ble
High Court and pass such other order or orders may deem fit and proper in
the circumstances of the case.

Date: .03.2024
AMARAVATI

Counsel for Petitioner

PALNADU DISTRICT

**HIGH COURT OF ANDHRA PRADESH
AT AMARAVATI**

C.C.NO. OF 2024

**IN
W.P.No.17294 OF 2023**

BETWEEN:

Bommu Sridevi

..Petitioner

AND

Siva Sankar Lotheti

...Respondent

CONTEMPT CASE

Filed By:

**M/s RAVI TEJA GUDE (23333)
Advocate**

Counsel for Petitioner

-3-

HIGH COURT OF ANDHRA PRADESH AT AMARAVATI

CONTEMPT CASE No.

OF 2022

IN

W.P.No.17294 OF 2023

BETWEEN:

Bommu Sridevi w/o Uma mahesswara Reddy
Aged 47 years
R/o. 7-73, Kaza Village,
Mangalagiri Mandal, Guntur District – 522503.

.... Petitioner

AND

1. Shri Siva Sankar Lotheti S/o not known to the Petitioner,
Aged not known to the Petitioner,
District Collector, Narsaraopet
Palnadu District –522 601.
2. Shri. Seshi Reddy S/o not known to the Petitioner,
Aged not known to the Petitioner,
Revenue Divisional Officer,
Narasaraopet Revenue Division, Narasaraopet-522 601.
3. Shri. V. sujatha W/o not known to the Petitioner,
Aged not known to the Petitioner,
Tahsildar, Chilakaluripet Mandal, Palnadu District.
4. Shri. Sri Srinivasa Rao S/o not known to the Petitioner,
Aged not known to the Petitioner,
Sub Registrar, Chilakaluripet, Palnadu District.
5. Shri S. Satyanarayana S/o not known to the Petitioner,
Aged not known to the Petitioner,
Commissioner of Endowments Department,
Gollapudi, Vijayawada-521225.

... Respondents

-4- -[

AFFIDAVIT

I, Bommu Sridevi w/o Uma Mahesswara Reddy, Aged 47 years, R/o. 7-73, Kaza Village, Mangalagiri Mandal, Guntur District – 522503, having temporarily come down to Amaravati, do hereby solemnly affirm and sincerely state on oath as follows:

1. I am the deponent herein and the Petitioner in the above contempt and as such I am well acquainted with the facts of the case.
2. I respectfully submit that the writ petition in WP.No.17294 of 2023 was filed declaring the action of the Respondents in including the Petitioner's property into the prohibited properties list which is admeasuring Ac.5.00cents in Sy.No.635 of Pasumarru Village, Chilakaluripet Mandal, Palnadu District and not looking in to the Petitioner's Application No.TTA012100070541 dated 23.06.2021, filed requesting to modify the 22A(1) (c) list to delete the Petitioner's property admeasuring Ac.5.00cents in Sy.No.635 of Pasumarru Village, Chilakaluripet Mandal, Palnadu District as illegal, arbitrary, high handed and violative of principles of natural justice and violation of fundamental rights guaranteed to the Petitioner under Articles 14, 21 and 300A of the Constitution of India and consequently direct the

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Respondents to remove the Petitioner's property admeasuring Ac.5.00 cents in Sy.No.635 of Pasumarru Village, Chilakaluripet Mandal, Palnadu District, from 22A(1) (c) prohibited properties list.

3. It is humbly submitted that when the WP.No.17294 of 2023 came up for hearing before this Hon'ble Court, and interim orders were passed in W.P.No.17294 OF 2023 dated 05.10.2023thus:

"4. Considering the submissions made, this Court without going into the merits of the case, deems it appropriate to dispose of the writ petition, with a direction to the 8th respondent to take action on the petitioner's application dated 23.06.2021 for deletion of the subject 3 matter property from the Prohibited Properties List, in accordance with Law, within a period of three (3) months from the date of receipt of a copy of this order.

5. With the above direction, the writ petition is disposed of. There shall be no order as to costs.

As a sequel, all pending applications shall stand closed. As a sequel, pending miscellaneous petitions, if any, shall and closed."

4. I submit that despite the orders of this Hon'ble High Court where a direction was given to 5th Respondent herein (i.e., the 8th Respondent in

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Writ Petition) to take necessary action on the online application of the Petitioner within three months from the date of receipt of the order, the Respondents did not choose to implement the orders of this Hon'ble Court dated 05.10.2023 in WP No. 17294 of 2023 and has willfully, deliberately and wantonly violated the orders of this Hon'ble Court and as such, they are liable for punishment under the provisions of Contempt of Courts Act, 1971. Hence the above contempt.

5. It is humbly submitted that the petitioner could not submit the certified copy of the orders of this Hon'ble Court in WP No. 17294 of 2023 and seeks leave of this Hon'ble Court to dispense with filing of the same.

For the reasons mentioned in the accompanying affidavit, it is therefore prayed that this Hon'ble court may be pleased to issue notice to the Respondents herein and punish under sections 10 to 12 of the Contempt of Courts Act, 1971 for their willful disobedience of the orders dated 05.10.2023 in WP No. 17294 of 2023 and pass such other order or orders as this Hon'ble court may deem fit and proper in the circumstances of the case.

For the reasons mentioned in the accompanying affidavit, this Hon'ble Court may be pleased to dispense with filing of the certified copy

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of order of this Hon'ble Court in WP No. 17294 of 2023, dated 05.10.2023 and pass such other order or orders may deem fit and proper in the circumstances of the case.

last page corr.

Deponent

Solemnly and sincerely affirmed on this the day of .03.2024 and signed his name in my presence.

BEFORE ME.

ADVOCATE :: AMARAVATI

VERIFICATION STATEMENT

I, Bommu Sridevi w/o Uma Mahesswara Reddy, Aged 47 years, R/o. 7-73, Kaza Village, Mangalagiri Mandal, Guntur District – 522503, now having temporarily come down to Amaravathi, being the petitioner/ person acquainted with the facts do hereby verify and state that the contents of the above paras of the Affidavit are true and correct to the best of my knowledge. Hence verified at AMARAVATI on this the day of .03.2024

Advocate

Deponent

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IN THE HIGH COURT OF ANDHRA PRADESH :: AMARAVATI
THE HON'BLE SRI JUSTICE NINALA JAYASURYA
WRIT PETITION No.17294 of 2023

Between:-

Bommu Sridevi

.... **Petitioner**

And

**The State of Andhra Pradesh,
Represented by its Principal Secretary,
Revenue Department & Others.**

.... **Respondents**

Counsel for the Petitioner : Mr.Raviteja Gude

**Counsel for the respondents : G.P. for Revenue
G.P. for Stamps & Registration
G.P. for Endowments**

ORDER:

Heard learned counsel for the petitioner. Also heard learned Assistant Government Pleader for Revenue and the learned Assistant Government Pleader for Stamps & Registration.

2. The grievance of the petitioner in the present writ petition is that despite making of Mee-Seva application dated 23.06.2021 for deletion of the petitioner's land of an extent of Ac.5.00 cents in Survey No.635, Pasumarru Village of Chilakaluripet Mandal, Palnadu District from the prohibited properties list under Section 22-A(i)(c) of the Registration Act, no action is taken by the respondent authorities for deletion of the subject matter property from the prohibited properties list, and therefore seeks a direction to the

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respondents to pass orders on the petitioner's Mee-Seva application dated 23.06.2021.

3. The learned counsel for the petitioner advanced arguments with reference to the various contentions raised in the writ petition and submits that the stand of the respondents that the land belongs to Sri Seetharamaswamy temple, Koritepadu, Guntur without their being any proof to that effect is totally unsustainable and therefore seeks a direction to the 8th respondent to delete the subject matter property from the Prohibited Category List as sought for. However, the learned Assistant Government Pleader for Revenue submits that if the application filed by the petitioner is pending, necessary action would be taken by the concerned authorities while mentioning that as the property in question is in the prohibited category list, the action of the respondent authorities as alleged in the writ petition cannot be found fault with.

4. Considering the submissions made, this Court without going into the merits of the case, deems it appropriate to dispose of the writ petition, with a direction to the 8th respondent to take action on the petitioner's application dated 23.06.2021 for deletion of the subject

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matter property from the Prohibited Properties List, in accordance with Law, within a period of three (3) months from the date of receipt of a copy of this order.

5. With the above direction, the writ petition is disposed of. There shall be no order as to costs. As a sequel, all pending applications shall stand closed.

As a sequel, pending miscellaneous petitions, if any, shall and closed.

NINALA JAYASURYA, J

Date: 05.10.2023
BLV

- 115 4

THE HON'BLE SRI JUSTICE NINALA JAYASURYA

W.P.No.17294 of 2023

Date: 05.10.2023

BLV

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MEMORANDUM OF WRIT PETITION
(SPECIAL ORIGINAL JURISDICTION)
(UNDER ART. 226 OF THE CONSTITUTION OF INDIA)

HIGH COURT OF ANDHRA PRADESH AT AMARAVATI

W.P. NO.

OF 2023

Between:

Bommu Sridevi w/o uma mahesswara Reddy
Aged 47 years
R/o. 7-73, Kaza Village,
Mangalagiri Mandal,
Guntur District - 522503.

..Petitioner/s

AND

1. The State of Andhra Pradesh
Rep. by its Principal Secretary,
Revenue Department, Secretariat Buildings,
Velagapudi, Amaravati, Guntur District.
2. The Director General of Stamps and
Registration, Andhra Pradesh,
Secretariat, Gollapudi, Guntur
District, Andhra Pradesh-5220 004.
3. The District Collector,
Palnadu District.
4. The Revenue Divisional Officer,
Narasaraopet Revenue Division, Narasaraopet.
5. The Tahsildar,
Chilakaluripet Mandal, Guntur District.
6. The Sub Registrar,
Chilakaluripet, Palnadu District.

..Respondent/s

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The address for service on the above named Petitioners is that of their counsel RAVITEJA GUDE (23333), Advocate, A.P.High Court, Door No.6-16-49, 3rd Floor, Mekapati Pride, 16/3, Arundelpet, Guntur-522002. Mobile: 8121687977. Email: ravichowdary2000@gmail.com.

For the reasons stated in the accompanying affidavit, it is hereby prayed that this Hon'ble Court may be pleased to issue a Writ, Order or Direction more particularly one in the nature of Writ of Mandamus declaring the action of the Respondents in including the Petitioner's property into the prohibited properties list which is admeasuring Ac.5.00cents in Sy.No.635 of Pasumarru Village, Chilakaluripet Mandal, Palnadu District and not looking in to the Petitioner's Application No.TTA012100070541 dated 23.06.2021, filed requesting to modify the 22A(1) (c) list to delete the Petitioner's property admeasuring Ac.5.00cents in Sy.No.635 of Pasumarru Village, Chilakaluripet Mandal, Palnadu District as illegal, arbitrary, high handed and violative of principles of natural justice and violation of fundamental rights guaranteed to the Petitioner under Articles 14, 21 and 300A of the Constitution of India and consequently direct the Respondents to remove the Petitioner's property admeasuring Ac.5.00cents in Sy.No.635 of Pasumarru Village, Chilakaluripet Mandal, Palnadu District, from 22A(1) (c) prohibited properties list and

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to pass such other order or orders as this Hon'ble Court may deem fit
just and proper in the circumstances of the case.

AMARAVATI
DATE: .07.2023

Counsel for the Petitioner

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HIGH COURT OF ANDHRA PRADESH AT AMARAVATI

W.P. NO.

OF 2023

Between:

**Bommu Sridevi w/o uma mahesswara Reddy
Aged 47 years
R/o. 7-73, Kaza Village,
Mangalagiri Mandal,
Guntur District - 522503.**

..Petitioner

AND

- 1. The State of Andhra Pradesh
Rep. by its Principal Secretary,
Revenue Department, Secretariat Buildings,
Velagapudi, Amaravati, Guntur District.**
- 2. The Director General of Stamps and
Registration, Andhra Pradesh,
Secretariat, Gollapudi, Guntur
District, Andhra Pradesh-5220 004.**
- 3. The District Collector,
Palnadu District.**
- 4. The Revenue Divisional Officer,
Narasaraopet Revenue Division, Narasaraopet.**
- 5. The Tahsildar,
Chilakaluripet Mandal, Guntur District.**
- 6. The Sub Registrar,
Chilakaluripet, Palnadu District.**

..Respondents

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AFFIDAVIT

I, Bommu Sridevi w/o uma mahesswara Reddy, Aged 47 years, R/o. 7-73, Kaza Village, Mangalagiri Mandal, Guntur District – 522503, having temporarily come down to Amaravati, do hereby solemnly affirm and sincerely state on oath as follows:

1. I submit that I am the deponent herein and the Petitioner in the above Writ Petition and as such I am well acquainted with the facts of the case and do hereby swear to the contents of this Affidavit.
2. It is humbly submitted that the present writ petition is filed declaring the action of the Respondents in including the Petitioner's property into the prohibited properties list which is admeasuring Ac.5.00cents in Sy.No.635 of Pasumarru Village, Chilakaluripet Mandal, Palnadu District and not looking in to the Petitioner's Application No.TTA012100070541 dated 23.06.2021, filed requesting to modify the 22A(1) (c) list to delete the Petitioner's property admeasuring Ac.5.00cents in Sy.No.635 of Pasumarru Village, Chilakaluripet Mandal, Palnadu District as illegal, arbitrary, high handed and violative of principles of natural justice and violation of fundamental rights guaranteed to the Petitioner under Articles 14, 21 and 300A of the

Constitution of India and consequently direct the Respondents to remove the Petitioner's property admeasuring Ac.5.00cents in Sy.No.635 of Pasumarru Village, Chilakaluripet Mandal, Palnadu District, from 22A(1) (c) prohibited properties list.

3. I humbly submit that the Petitioner herein is an absolute owner and in peaceful possession of the property admeasuring Ac.5.00cents in Sy.No.635 of Pasumarru Village, Chilakaluripet Mandal, Palnadu District. That the Petitioner purchased the said property from one Lavu Venkateswarlu S/o. Lavu Subbarao vide registered Sale Deed Document No.104 of 2005-dated 17.01.2005 and since then the Petitioner is in peaceful possession and enjoyment of the same.
4. It is pertinent to submit that the Petitioner name was included in the revenue records and issued Pattadar passbooks for the subject property. That to the shock and surprise of the Petitioner herein who have been in possession for more than 15 years, the principal subject property was included in the prohibitory lands list under Section 22A(1) (C) of Registration Act through impugned proceedings in RC.No.M2/9577/2016, dated 08.06.2016. That the Petitioner has therefore requested to remove the subject property from 22A (1) (C) list vide Meeseva Application No. TTA012100070541 Dated 23.06.2021

which was in pending till date. It is also pertinent to mention that the Petitioner's application is in pending since from 2 years and was not disposed.

5. It is humbly submitted that petitioner have purchased the subject property through a registered sale deed in the year 2005 and have been possession of the Property since then. That at no point of time that any of the Respondents object to the possession of the petitioner in the subject property. However, mere stating that the land belongs to Sri Seetharamaswamy temple, koritepadu, Guntur without their being any proof to that effect is totally unsustainable and violates the Fundamental Rights of the petitioner. In these circumstances until and unless this Hon'ble Court directs the Respondents to remove the subject Property from prohibitory list under Section 22A (1) (C) of Registration Act and set aside the impugned proceedings in Letter. Nil/2023, Dt:02.02.2023, else the Petitioner will be put to irreparable loss and cannot be compensate in any other manner.

6. It is humbly submitted that the Petitioner is a bonafide purchaser of the subject property who have purchased it through registered sale deed document. That since 1982, the subject property was permitted for

registration vide various sale deeds in Documents No.3063 of 1982 dated 06.08.1982, sale deed Document No. 1161 of 1984 dated 06.01.1984 and sale deed document No.687 of 2001 dated 28.03.2001, sale deed document No.1030/2001 and Document No.1031 of 2001 dated 21.04.2001, sale deed Document No.104 dated 17.01.2005 after which the Petitioner is now in possession and enjoyment of the same. That all these years through and at the time of the registration of Document No. 104 dated 17.01.2005, the concerned authorities have not objected for registration nor the authorities have stopped issuance of Pattadar passbooks. To the shock and surprise, the Petitioner who purchased the property was included in the Prohibition list under Section 22A (1) (C) of Registration act without even informing the Petitioner. That the Petitioner cannot be put to such hardships. That the Respondents, now after lapse of more than 15 years cannot resort to such arbitrary actions in including the subject property in the prohibition list having permitted the previous sale transactions. Such an action is not only arbitrary and illegal, but clearly violates the fundamental rights guaranteed to the Petitioner under Articles 14, 21 and 300A of Constitution of India. In these circumstances until and unless this Hon'ble Court directs the Respondents to remove the subject Property from prohibitory list under Section 22A of Registration Act

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and dispose the Application of the Petitioner dated 23.06.2021, else the Petitioner will be put to irreparable loss and cannot be compensated in any other manner.

7. In view of the above, the Petitioner is left with no other alternative efficacious remedy, except to approach this Hon'ble Court under Article 226 of the Constitution of India.
8. The Petitioner have not filed any other writ or proceedings in any court of law with regard to the above cause of action against the respondents herein and to the best of their knowledge, no writ or proceedings are pending in any court of law except to the extent stated above.

MAIN PRAYER

It is therefore prayed that this Hon'ble Court may be pleased to issue a Writ, Order or Direction more particularly one in the nature of Writ of Mandamus declaring the action of the Respondents in including the Petitioner's property into the prohibited properties list which is admeasuring Ac.5.00cents in Sy.No.635 of Pasumarru Village, Chilakaluripet Mandal, Palnadu District and not looking in to the Petitioner's Application No.TTA012100070541 dated 23.06.2021, filed requesting to modify the 22A(1) (c) list to delete the Petitioner's property admeasuring Ac.5.00cents in Sy.No.635 of Pasumarru Village, Chilakaluripet Mandal, Palnadu District

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as illegal, arbitrary, high handed and violative of principles of natural justice and violation of fundamental rights guaranteed to the Petitioner under Articles 14, 21 and 300A of the Constitution of India and consequently direct the Respondents to remove the Petitioner's property admeasuring Ac.5.00cents in Sy.No.635 of Pasumarru Village, Chilakaluripet Mandal, Palnadu District, from 22A(1) (c) prohibited properties list and pass such other order or orders as this Hon'ble Court may deem fit and proper in the circumstances of the case.

INTERIM PRAYER

Pending disposal of the present writ petition, it is prayed that this Hon'ble Court may be pleased to direct the Respondents to dispose the Petitioner's Application No. TTA012100070541 dated 23.06.2021 requesting to modify the 22A (1) (C) list to delete the Petitioner's property admeasuring Ac.5.00cents in Sy.No.635 of Pasumarru Village, Chilakaluripet Mandal, Palnadu District and pass such other order or orders as this Hon'ble Court may deem fit and proper in the circumstances of the case.

last page corr.
Solemnly and sincerely affirm this
the day of 07.2023
and signed his name in my presence.

Deponent

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BEFORE ME

ADVOCATE :: AMARAVATI

VERIFICATION STATEMENT

I, Bommu Sridevi w/o uma mahesswara Reddy, Aged 47 years, R/o. 7-73, Kaza Village, Mangalagiri Mandal, Guntur District - 522503, being the petitioner/ person acquainted with the facts do hereby verify and state that the contents of the above paras of the Affidavit are true and correct to the best of my knowledge. The above contents are typed under my instructions and same are read over and explained to me in vernacular language. Hence verified at AMARAVATI on this the day of .07.2023

Advocate

Deponent


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 Integrated Service Delivery Gateway

Transaction Details			
Transaction Id:	TATTA02100020541	Application No:	ITA032100070541
Name:	BOMMU SR DEVI	Service Name:	MODIFICATIONS IN 22A LIST
Transaction Date:	23/05/2024	Amount:	45
Status:	Forward to ACE	Remarks:	
Approved / Rejected Date:		Print Date:	NA
Printed By:	NA	Franchisee Id/ VLE Id:	ESEVA-FC63
District:	GUNTUR	Mandal:	Chilakaluripa
SLA (In days):	45		
Note:	As per G.O. MS No 17, dated 6th March, 2019, the scanning charges beyond 4 pages have been revised to Rs. 5/- per page for uploading documents. The scanning charges up to 4 pages is free of cost.		

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HIGH COURT OF ANDHRA PRADESH AT AMARAVATI

OF 2024

IN

OF 2024

IN

WP.NO.17294 OF 2023

...Petitioner

AND

- ## ...Respondents

For the reasons accompanying in the affidavit, this Hon'ble Court may be pleased to dispense with filing of the certified copy of order of this Hon'ble Court in WP.No.17294 of 2023, dated 05.10.2023 and pass such other order or orders may deem fit and proper in the circumstances of the case.

Date: .03.2024
AMARAVATI

Counsel for Petitioner

Q.P.
PALNADU : DISTRICT

HIGH COURT OF ANDHRA PRADESH
AT AMARAVATI

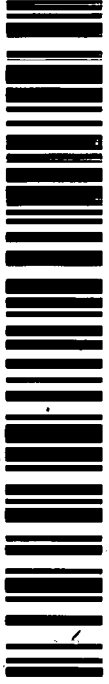
I.A.No. OF 2024

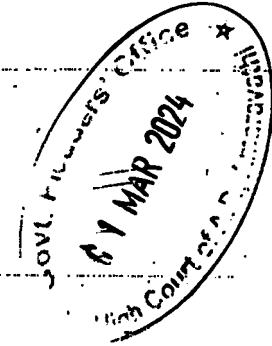
IN

C.C.NO. OF 2024

R/S
Ret(G)
Endt

DISPENSE WITH PETITION

Acknowledgement No.:

REV080142295
APOLCMS
Friday, Mar 01, 2024 15:11:08 PM



Filed By:

M/s RAVI TEJA GUDE(23333)
Advocate

Counsel for Petitioner

9/601098053