

**IN THE HIGH COURT OF ANDHRA PRADESH AT AMARAVATHI**

**CC. No.                      OF 2025**

**IN**

**WP. No. 25043 of 2023  
(Final Order dated 06.05.2024)**

**RUNNING INDEX**

<b>Sl. No.</b>	<b>Description of Document</b>	<b>Date of Document</b>	<b>Date of filing of Document</b>	<b>Page No.</b>
1.	Petition & affidavit	09.05.2025	09.05.2025	<b>1-4</b>
2.	Final Order passed in WP. No. 25043 of 2023.	06.05.2024	-do-	<b>5-11</b>
3.	Affidavit filed in WP. No. 25043 of 2023.	21.09.2023	-do-	<b>12-19</b>
4.	Representation		-do-	<b>20-23</b>
5.	Vakalath	08.05.2025	-do-	<b>24</b>

**DATE: 09.05.2025  
Vijayawada**

**Counsel for the Petitioner**

1

MEMORANDUM OF CONTEMPT OF CASE  
(UNDER SEC. 10 TO 12 OF CONTEMPT OF COURTS ACT, 1971)

IN THE HIGH COURT OF ANDHRA PRADESH AT AMARAVATHI

CONTEMPT CASE NO \_\_\_\_\_ OF 2025

IN

WP. No. 25043 OF 2023  
(Final order dated 06.05.2024)

BETWEEN:

Kasaraneni Koteswara Rao,  
S/o Krishna Rao, Hindu, aged about 58 years,  
R/o Plot No. 101, Kohinoor Apartments,  
Near ITI Bus stop, Vijayawada. ...Petitioner

AND

Sri K. Ramachandra Mohan,  
The Commissioner,  
Endowments department,  
Gollapudi, Vijayawada. ...Respondent

The address for service of all notices and process on the above-named Petitioner is that of his counsel M/s J. V. Phaniduth (22024), Advocate, Plot No.24, Road No.6, Sector-1, Lotus Land Mark, Ayodya Nagar, Vijayawada. Ph.9393380220.

For the reasons stated in above this Honourable Court may be pleased to initiate contempt proceedings against the respondents for their wilful and deliberate disobedience of Final Order dated 06.05.2024 passed in WP. No. 25043 of 2023 by this Hon'ble Court and punish them for the offence of Contempt under the provisions of sections 10 to 12 of Contempt of Courts Act, 1971 in interest of justice and in the circumstances of the case and pass such other order or orders as this Hon'ble Court may deem fit and proper in the circumstances of the case.

Date: 09.05.2025  
Vijayawada

Counsel for Petitioner

IN THE HIGH COURT OF ANDHRA PRADESH AT AMARAVATHI

CONTEMPT CASE No \_\_\_\_\_ OF 2025

IN

WP. No. 25043 OF 2023  
(Final order dated 06.05.2024)

BETWEEN:

Kasaraneni Koteswara Rao,  
S/o Krishna Rao, Hindu, aged about 58 years,  
R/o Plot No. 101, Kohinoor Apartments,  
Near ITI Bus stop, Vijayawada.

...Petitioner

AND

Sri K. Ramachandra Mohan,  
The Commissioner,  
Endowments department,  
Gollapudi, Vijayawada.

...Respondent

**AFFIDAVIT**

I, Kasaraneni Koteswara Rao, S/o Krishna Rao, Hindu, aged about 58 years, R/o Plot No. 101, Kohinoor Apartments, Near ITI Bus stop, Vijayawada, do hereby solemnly affirm and state on oath as follows:

1) I am the petitioner herein and I am well acquainted with the facts of the case.

2) I beg to submit that, I am filing the instant contempt case to punish the respondents for the offence of contempt under the provisions of Contempt of Courts Act, 1971 for their wilful and deliberate disobedience of Final order dated 06.05.2024 passed in WP No. 25043 of 2023 by this Honourable Court in the interest of justice.

3) I submit that, we filed WP. No. 25043 of 2023 before this Hon'ble Court challenging the action of the respondent official in not

considering my Mee-seva application bearing No. TA011800017787 dated 05.07.2018 and also subsequent representations, E No. 7490942 dated 15.06.2023 requesting to delete my private property admeasuring an extent of Ac. 3-60 cents in S. No.88/1; Ac. 0-25 cents in S. No.88/3; Ac. 1-27 cents in S. No 94; Ac. 0-96 cents in S. No. 146 &Ac. 0-58 cents in S. No. 178/1 totally Ac. 6-66 cents situated in Adivivaram village, Gopalapatnam mandalam, Visakhapatnam district from the prohibited property list maintained under section 22(A)(1)(c) of Registration Act, 1908 as amended from time to time, as illegal, arbitrary and for consequential relief. Upon perusing the record, the erstwhile common High Court of Andhra Pradesh on 06.05.2024, was pleased to pass Final order and the operative portion is extracted hereunder for ready reference of this Hon'ble Court.

*"3. In view of the request made by the learned counsel appearing for the petitioner, the present Writ Petition is disposed of, directing the 2<sup>nd</sup> respondent to examine the representation dated 15.06.2023 submitted by the petitioner and pass appropriate orders in accordance with law within a period of two months from the date of receipt of a copy of this order and communicate the same to the petitioner. There shall be no order as to costs."*

Copies of the said Final order and the writ affidavit are filed herewith as Annexure P1 & P2 and I crave leave of this Honourable Court to treat the same as part and parcel of this affidavit.

4) I submit that, on 22.05.2024 the said Final order dated 06.05.2024 passed by this Hon'ble Court is duly dispatched to the respondent by the registry. On 10.06.2024 I also submitted a representation bearing E. No. 8966309 to the respondent office informing about the said order. However, the order passed by this Hon'ble Court is not implemented. As such, having been fully aware of the Final order dated 06.05.2024 passed by this Hon'ble Court, the respondent did not consider and no order is passed on my application

dated 05.07.2018 as directed by this Hon'ble Court and the same is wilful and deliberate violation of the order of this Honourable Court and amounts to Contempt for which they are liable to be punished under the provisions of Contempt of Courts Act, 1971 read with rules made thereunder. Hence, the present contempt petition.

In the circumstances, it is therefore prayed that this Honourable Court may be pleased to initiate contempt proceedings against the respondents for their wilful and deliberate disobedience of Final Order dated 06.05.2024 passed in WP. No. 25043 of 2023 by this Hon'ble Court and punish them for the offence of Contempt under the provisions of sections 10 to 12 of Contempt of Courts Act, 1971 in interest of justice and in the circumstances of the case and pass such other order or orders as this Hon'ble Court may deem fit and proper in the circumstances of the case.

Solemnly and sincerely affirmed on  
this the day of 09.05.2025  
and signed his name in my presence.

DEPONENT

, BEFORE ME

ADVOCATE :: VIJAYAWADA

VERIFICATION STATEMENT

I, Kasaraneni Koteswara Rao, S/o Krishna Rao, being the proprietor of the petitioner/person acquainted with the facts do hereby verify and state that the contents of those paragraphs of the Affidavit are true and correct to the best of my knowledge, belief and information. Hence, verified at Vijayawada on this the day of 09.05.2025.

COUNSEL FOR THE PETITIONER

DEPONENT

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

MONDAY, THE SIXTH DAY OF MAY  
TWO THOUSAND AND TWENTY FOUR

PRESENT



THE HONOURABLE SRI JUSTICE TARLADA RAJASEKHAR RAO

WRIT PETITION NO: 25043 OF 2023

**Between:**

Kasaraneni Koteswara Rao, S/o Krishna Rao, Hindu, aged about 58 years,  
R/o Plot No. 101, Kohinoor Apartments, Near ITT Bus stop, Vijayawada.

...PETITIONER

AND

1. The State of Andhra Pradesh, Rep. by it's Principal Secretary  
(Endowments), Secretariat buildings, Velagapudi, Amaravathi.
2. The Commissioner, Endowments department, Gollapudi, Amaravathi.
3. The District Collector, Visakhapatnam district, Visakhapatnam.
4. The Sub-Registrar, Gopalapatnam, Visakhapatnam district.
5. Sri Varaha Lakshmi Narasimha Swamy vari devasthanam,  
Simhachalam, Visakhapatnam district. Rep. by it's Executive Officer.

...RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in  
the circumstances stated in the affidavit filed therewith, the High Court may

6

be pleased to issue a WRIT OF MANDAMUS or any other appropriate writ or order or other direction to DECLARE the action of the respondent officials in not considering Petitioner's mee-seva application bearing No. TA011800017787 dated 05.07.2018 and also subsequent representations bearing E. No. 7490942 dated 15.06.2023 requesting to delete his private property admeasuring an extent of Ac. 3-60 cents in S. No. 88/1. Ac. 0-25 cents in S. No 88/3. Ac. 1-27 cents in S. No 94. Ac. 0-96 cents in S. No. 146 and Ac. 0-58 cents in S. No. 178/1 totally Ac. 6-66 cents situated in Adivivaram village, Gopalapatnammandalam, Visakhapatnam district from the prohibited property list maintained under section 22(A)(1)(c) of Registration Act, 1908 as amended from time to time, as illegal, arbitrary, violative of the provisions of the Registration Act, 1908, contrary to Articles 14 and 300-A of Constitution of India and also law laid down by this Hon'ble Court and Hon'ble Apex Court and consequently COMMAND the respondent officials to consider my Applications bearing No. TA011800017787 dated 05.07.2018 and also subsequent representations bearing E No. 7490942 dated 15.06.2023 in the interest of justice.

**IA NO: 1 OF 2023**

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 direct the respondent officials to consider Petitioner's mee-seva application bearing No. TA011800017787 dated 05.07.2018 and also subsequent representations, E No. 7490942 dated 15.06.2023 requesting to delete his private property admeasuring an extent of Ac. 3-60 cents in S. No. 88/1. Ac. 0-25 cents in S. No. 88/3. Ac. 1-27 cents in S. No 94. Ac. 0-96 cents in S. No. 146 and Ac. 0-58 cents in S. No. 178/1 totally Ac. 6-66 cents situated in Adivivaram village, Gopalapatnam mandalam, Visakhapatnam district from the prohibited property list maintained under section 22(A)(1)(c) of Registration Act, 1908 as amended from time to time in the interest of justice pending disposal of the above writ petition.

7

Counsel for the Petitioner(s): SRI. J.V.PHANIDUTH

Counsel for the Respondents 1 to 4 : GP FOR ENDOWMENTS

Counsel for the Respondent No.3 : GP FOR REVENUE

Counsel for the Respondent No.5 : SRI JAGADISH KUMAR BATCHU, SC  
FOR ENDOWMENTS

The Court made the following: ORDER



8

THE HON'BLE SRI JUSTICE TARLADA RAJASEKHAR RAO

WRIT PETITION No.25043 OF 2023

ORDER:

The present Writ Petition is filed under Article 226 of the Constitution of India for the following relief:

"To issue a writ of mandamus or any other appropriate writ or order or other direction to declare the action of the respondent officials in not considering the mee-seva application bearing No.TA011800017787 dated 05.07.2018 and also subsequent representation bearing E.No.7490942 dated 15.06.2023 requesting to delete my private property admeasuring an extent of Ac.3-60 cents in S.No.88/1; Ac.0-25 cents in S.No.88/3; Ac.1-27 cents in S.No.94; Ac.0-96 cents in S.No.146 & Ac.0-58 cents in S.No.178/1 totally Ac.6-66 cents situated in Adivivaram village, Gopalapatnam Mandalam, Visakhapatnam district from the prohibited property list maintained under section 22(A)(1)(c) of Registration Act, 1908 as amended from time to time, as illegal, arbitrary, violative of the provisions of the Registration Act, 1908, contrary to Articles 14 & 300-A of Constitution of India and also law laid down by this Hon'ble Court and Hon'ble Apex Court and consequently ~~COMMAND~~ the respondent officials to consider my Application bearing No.TA011800017787 dated 05.07.2018 and also subsequent representations bearing E.No.7490942 dated 15.06.2023 in the interest of justice and to pass such other order."

2. Learned counsel appearing for the petitioner restricted his argument to the extent for disposal of the representation made by the petitioner to the respondent-authorities and he requests the Court that it would suffice to dispose of the Writ Petition with a direction to the 2<sup>nd</sup> respondent to dispose of the representation made by the petitioner. Learned counsel appearing for the respondents has vehemently opposed for such disposal.

3. In view of the request made by the learned counsel appearing for the petitioner, the present Writ Petition is disposed of, directing the 2<sup>nd</sup> respondent to examine the representation dated 15.06.2023 submitted by the petitioner and pass appropriate orders in accordance with law within a period of two months from the date of receipt of a copy of this order and communicate the same to the petitioner. There shall be no order as to costs.

As a sequel, interlocutory applications pending, if any, in this Writ Petition shall stand closed.

SD/- S.SRINIVASA.PRASAD

ASSISTANT REGISTRAR

SECTION OFFICER

//TRUE COPY//

To,

1. The Principal Secretary (Endowments), State of Andhra Pradesh, Secretariat buildings, Velagapudi, Amaravathi.
2. The Commissioner, Endowments department, Gollapudi, Amaravathi.
3. The District Collector Visakhapatnam district, Visakhapatnam.

10

4. The Sub-Registrar, Gopalapatnam, Visakhapatnam district.
5. The Executive Officer, Sri Varaha Lakshmi Narasimha Swamy vari Devasthanam, Simhachalam, Visakhapatnam District.
6. One CC to SRI J.V.PHANIDUTH Advocate [OPUC]
7. Two CCs to GP for ENDOWMENTS, High Court of Andhra Pradesh. [OUT]
8. One CC to SRI JAGADISH KUMAR BATCHU, SC for ENDOWMENTS [OPUC]
9. Two CCs to GP for REVENUE, High Court of Andhra Pradesh. [OUT]
10. Three CD Copies

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Madhu

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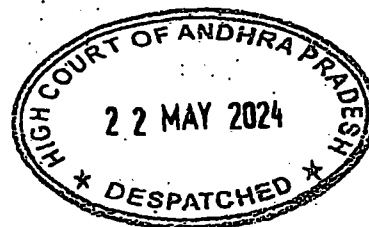
10

HIGH COURT

DATED:06/05/2024

ORDER

WP.No.25043 of 2023



DISPOSING THE WP WITHOUT COSTS

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(12)

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

IN THE HIGH COURT OF ANDHRA PRADESH AT AMARAVATI

W.P. NO. 25043 OF 2023

Between:

Kasaraneni Koteswara Rao,  
S/o Krishna Rao, Hindu, aged about 58 years,  
R/o Plot No. 101, Kohinoor Apartments,  
Near ITI Bus stop, Vijayawada.

..Petitioner/s

AND

1) The State of Andhra Pradesh,  
Rep. by it's Principal Secretary (Endowments),  
Secretariat buildings, Velagapudi, Amaravathi.

2) The Commissioner,  
Endowments department,  
Gollapudi, Amaravathi.

3) The District Collector,  
Visakhapatnam district, Visakhapatnam.

4) The Sub-Registrar,  
Gopalapatnam, Visakhapatnam district.

5) Sri Varaha Lakshmi Narasimha Swamy vari devasthanam,  
Simhachalam, Visakhapatnam district.  
Rep. by it's Executive Officer.

..Respondents

The address for service on the above named Petitioners is that of their counsel  
J. V. Phaniduth (22024), Villa No.24, Road No.6, Sector-1, Lotus Land Mark,  
Ayodya Nagar, Vijayawada. Ph.9393380220

For the reasons stated in the accompanying affidavit, it is hereby prayed that  
this Hon'ble Court may be pleased to issue a WRIT OF MANDAMUS or any other  
appropriate writ or order or other direction to DECLARE the action of the

12

respondent officials in not considering my mee-seva application bearing No. TA011800017787 dated 05.07.2018 and also subsequent representations, E No. 7490942 dated 15.06.2023 requesting to delete my private property admeasuring an extent of Ac. 3-60 cents in S. No. 88/1; Ac. 0-25 cents in S. No. 88/3; Ac. 1-27 cents in S. No 94; Ac. 0-96 cents in S. No. 146 & Ac. 0-58 cents in S. No. 178/1 totally Ac. 6-66 cents situated in Adivivaram village, Gopalapatnammandalam, Visakhapatnam district from the prohibited property list maintained under section 22(A)(1)(c) of Registration Act, 1908 as amended from time to time, as illegal, arbitrary, violative of the provisions of the Registration Act, 1908, contrary to Articles 14 & 300-A of Constitution of India and also law laid down by this Hon'ble Court and Hon'ble Apex Court and consequently COMMAND the respondent officials to consider my Applications bearing No. TA011800017787 dated 05.07.2018 and also subsequent representations, E No. 7490942 dated 15.06.2023 in the interest of justice and to pass such other order or orders as this Hon'ble Court may deems fit just and proper in the circumstances of the case.

Amaravati  
DATE: 21.09.2023

Counsel for the Petitioner

14

NTR District

IN THE HIGH COURT OF ANDHRA PRADESH AT  
AMARAVATI

W.P. NO. 25042 OF 2023

Kasaraneni Koteswara Rao

..Petitioner

AND

1) The State of Andhra Pradesh & Others

...Respondents

**WRIT PETITION**

Filed By:

**M/S J.V.PHANIDUTH (22024)**

Advocate

Counsel for Petitioner

15

**IN THE HIGH COURT OF ANDHRA PRADESH AT AMARAVATI**

W.P. NO. 25043 OF 2023

Between:

Kasaraneni Koteswara Rao,  
S/o Krishna Rao, Hindu, aged about 58 years,  
R/o Plot No. 101, Kohinoor Apartments,  
Near ITI Bus stop, Vijayawada.

..Petitioner

AND

1) The State of Andhra Pradesh,  
Rep. by it's Principal Secretary (Endowments),  
Secretariat buildings, Velagapudi, Amaravathi.

2) The Commissioner,  
Endowments department,  
Gollapudi, Amaravathi.

3) The District Collector,  
Visakhapatnam district, Visakhapatnam.

4) The Sub-Registrar,  
Gopalapatnam, Visakhapatnam district.

5) Sri Varaha Lakshmi Narasimha Swamy vari devasthanam,  
Simhachalam, Visakhapatnam district.  
Rep. by it's Executive Officer.

..Respondents

**AFFIDAVIT OF KOTESWARA RAO**

I, Kasaraneni Koteswara Rao, S/o Krishna Rao, Hindu, aged about 58 years, R/o Plot No. 101, Kohinoor Apartments, Near ITI Bus stop, Vijayawada, do hereby solemnly affirm and state on oath as follows:

1) I am the petitioner herein and I am well acquainted with the facts of the case.

2) I submit that, I am filing the instant writ petition challenging the action of the respondent officials in not considering my Mee-seva application bearing No.



TA011800017787 dated 05.07.2018 and also subsequent representations, E No. 7490942 dated 15.06.2023 requesting to delete my private property admeasuring an extent of Ac. 3-60 cents in S. No.88/1; Ac. 0-25 cents in S. No.88/3; Ac. 1-27 cents in S. No 94; Ac. 0-96 cents in S. No. 146 & Ac. 0-58 cents in S. No. 178/1 totally Ac. 6-66 cents situated in Adivivaram village, Gopalapatnam mandalam, Visakhapatnam district from the prohibited property list maintained under section 22(A)(1)(c) of Registration Act, 1908 as amended from time to time, as illegal, arbitrary, violative of the provisions of the Registration Act, 1908, contrary to Articles 14 & 300-A of Constitution of India and also law laid down by this Hon'ble Court and Hon'ble Apex Court.

3) I submit that, I am the absolute owner and possessor of the property admeasuring an extent of Ac. 3-60 cents in S. No. 88/1; Ac. 0-25 cents in S. No. 88/3; Ac. 1-27 cents in S. No 94; Ac. 0-96 cents in S. No. 146 & Ac. 0-58 cents in S. No. 178/1 totally Ac. 6-66 cents situated in Adivivaram village, Gopalapatnammandalam, Visakhapatnam district having been purchased in the year 2013 from one Sri mantha Srihari Alias Chokkaraofor valid consideration through registered sale deeds bearing No. 272 to 277 of 2013. Originally the subject property is part of the classified inam land bearing Title Deed No. 1173. The Gill man Survey & Settlement report prepared in the year 1904, recognized the possession and enjoyment of the grandfather of my vendor, namely, Mantha Narasimha Yajulu, with respect to the subject property.

4) When my vendor, namely, Sri Mantha Srihari @ Chokkarao filed claim petition over the subject property before the Special Deputy Tahsildar (Inams), Visakhapatnam, the same was registered as Inam Case AIP. No. 1401/2004. The said authority has conducted detailed and thorough enquiry over the matter and on 05.04.2006 held that the claimant- my vendor deemed to be the Tenant and entitled to permanent occupancy rights u/s 8 of the I.A. Act. Some of the villagers filed appeal over the said order dated 05.04.2006. the Revenue Divisional Officer has taken the same on file bearing Rc. No. 4445/2007 (Inam Appeal) and conducted thorough enquiry and finally by his order dated 28.08.2010, upheld the order passed by the Inam Tahsildar and the same has become final. As such, the

permanent occupancy right of my vendor has become absolute in favor of my vendor and he continued in the possession of the subject property.

5) I submit that, in the year 2010-11, when I tried to purchase the subject property, the 4<sup>th</sup> respondent rejected to receive and register my document stating that, the property is in prohibited list and cannot be registered. Then I filed Writ Petition, WP. No. 25022 of 2011 before the erstwhile common High Court and the Hon'ble Court by it's order dated 22.01.2013 held that, *Special Deputy Tahsildar (Inams), Visakhapatnam has conducted thorough enquiry over the property; the EO of the SVLN devasthanam did not participate in the enquiry even after receiving notices; conferred occupancy rights to my vendor and the same has attained finality; as long as the said order remains in force, my vendor is entitled to transfer the property either by sale, gift or otherwise; until the EO of the SVLN devasthanam questions the said order and gets the same set-aside, it cannot legitimately prevent my vendor to transfer the property to any person; the SRO, Gopalapatnam is directed to receive and register my document subject to the EO, SVLN devasthanam to assert it's claim against my vendor or subsequent transferee from him.* The 5<sup>th</sup> respondent herein filed Writ Appeal, WA. No. 230 of 2013 and Hon'ble Division Bench of erstwhile common High Court by it's order dated 19.02.2013 dismissed the same confirming the order passed by the learned single judge.

6) I submit that, immediately thereafter, I submitted the sale deed for registration and the 4<sup>th</sup> respondent received and registered the same bearing document Nos. 272 to 277 of 2013. As such, I have become absolute owner and possessor of the subject property without there being any interference from any one in any manner. When I tried to sell the subject property, the 4<sup>th</sup> respondent informed me that, the said property is placed under the register maintained under section 22(A)(1)(c) of the Registration Act, 1908 as amended from time to time and my documents cannot be registered. Hence, on 05.07.2008 I submitted a mee-seva application bearing No. TA011800017787 for deletion of my subject property from prohibited property list. But, the respondent officials did not take any action thereupon. On 14.06.2023 I submitted another application to the

1<sup>st</sup> respondent and on 15.06.2023, I submitted another application to the 2<sup>nd</sup> respondent bearing No. E No. 7490942 to issue No Objection for the subject property. But, the respondent officials did not take any action till date violating my rights guaranteed under Articles 14 & 300-A Constitution of India.

7) Under these circumstances, I have no other efficacious alternative remedy except to approach this Hon'ble court under Article 226 of Constitution of India.

8) I submit that, I have not filed any writ, suit or any other proceedings in respect of the relief claimed in this writ petition and no such writ, suit, or other proceedings is pending in any other court of law.

In these circumstances, it is therefore prayed that this Hon'ble court may be pleased to issue a WRIT OF MANDAMUS or any other appropriate writ or order or other direction to DECLARE the action of the respondent officials in not considering my mee-seva application bearing No. TA011800017787 dated 05.07.2018 and also subsequent representations, E No. 7490942 dated 15.06.2023 requesting to delete my private property admeasuring an extent of Ac. 3-60 cents in S. No. 88/1; Ac. 0-25 cents in S. No. 88/3; Ac. 1-27 cents in S. No. 94; Ac. 0-96 cents in S. No. 146 & Ac. 0-58 cents in S. No. 178/1 totally Ac. 6-66 cents situated in Adivivaram village, Gopalapatnammandalam, Visakhapatnam district from the prohibited property list maintained under section 22(A)(1)(c) of Registration Act, 1908 as amended from time to time, as illegal, arbitrary, violative of the provisions of the Registration Act, 1908, contrary to Articles 14 & 300-A of Constitution of India and also law laid down by this Hon'ble Court and Hon'ble Apex Court and consequently COMMAND the respondent officials to consider my Applications bearing No. TA011800017787 dated 05.07.2018 and also subsequent representations, E No. 7490942 dated 15.06.2023 in the interest of justice and pass such other order or orders that this Hon'ble court may deem fit and proper in the circumstances of the case.

Pending the above writ petition, I also pray that this Hon'ble Court may be pleased to direct the respondent officials to consider my mee-seva application

bearing No. TA011800017787 dated 05.07.2018 and also subsequent representations, E No. 7490942 dated 15.06.2023 requesting to delete my private property admeasuring an extent of Ac. 3-60 cents in S. No. 88/1; Ac. 0-25 cents in S. No. 88/3; Ac. 1-27 cents in S. No 94; Ac. 0-96 cents in S. No. 146 & Ac. 0-58 cents in S. No. 178/1 totally Ac. 6-66 cents situated in Adivivaram village, Gopalapatnam mandalam, Visakhapatnam district from the prohibited property list maintained under section 22(A)(1)(c) of Registration Act, 1908 as amended from time to time in the interest of justice and pass such other order or orders that this Hon'ble court may deem fit and proper in the circumstances of the case.

Solemnly and sincerely affirm this  
the day of 21.09.2023  
and signed his name in my presence.

Deponent

BEFORE ME

ADVOCATE :: VIJAYAWADA

VERIFICATION STATEMENT

I, Kasaraneni Koteswara Rao, S/o Krishna Rao, 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 21.09.2023

Advocate

Deponent

From  
Kasaraneni Koteswara Rao, S/o. Krishna Rao,  
R/o. Flat No.101, Kohinoor Apartments,  
Near IIT Busstop, Vijayawada,  
NTR District.

To  
The Commissioner, Endowments department, A.P.,  
Amaravathi, @ Gollapudi, Vijayawada,  
NTR District.

Jc I/L  
pl - examine x  
put up  
loly  
Ct

Respected Sir,

**Sub:-** Application submitted requesting to grant NOC for the land in Survey No.88/1, 88/3, 94, 146, 178/1, admeasuring in an extent of Ac.6.60 cents situated in Adavivaram Village, Visakhapatnam Rural Mandal, Visakhapatnam, which are patta lands under cultivation of the family with surname "Mantha" even prior to the year 1904 as per Gilman report prepared during the British regime – Application pending – Endowments department falsely claiming it as their land – Mantha family is entitled for patta as per the provisions of the Estate Abolition Act 1948, since they are in possession and enjoyment, while cultivating the land much prior to the coming into force of the said act in the year 1948 – Hon'ble High Court issued directions in W.P.No.25043/2023, dated 06-05-2024, with directions to examine the representation and pass appropriate orders in accordance with law within a period of 2 months and communicate to the petitioner – Copy of the orders enclosed - Request to conduct enquiry and dispose my representation as requested – Regarding.

**Ref:-** 1) Copy of Gilaman report showing Sri Mantha Yajulu and their family members are the pattadars and owners of the above land.

2) Extract from the factual report submitted by the District Collector, Visakhapatnam regarding the said land showing Mantha Yajula Seethamma and Ayyala Somayajula Kodandaramulu as owners and enjoyers.

3) Representation dated 26-10-2023 to the Spl. Chief Secretary to Govt. Revenue (Endowments ) department, A.P., Secretariat, Velagapudi, Amaravathi.

4) High Court orders in W.P.No.25043/2023, dated 06-05-2024

@@@

I submit that the subject mentioned property in a extent of Ac.6.60 cents situated in Adavivaram Village, Visakhapatnam Rural Mandal, Visakhapatnam, are patta lands under cultivation of the family with surname "Mantha" even prior to the year 1904 as per Gilman report prepared during the British regime.

The said land is ancestral property belongs to one Mantha Yajulu and their family members, who are the owners /pattadars/ cultivators of the said land having possession and enjoyment from times immemorial.

The Revenue record clearly shows that, the nature of said land is Zirayothi land and held Mantha Narasimha Yajulu and Mantha Seethamma as pattadars / owners / cultivators. There is no mention of name of any temple or endowment in the Revenue record and it is purely private Zirayothi land belongs to the said family members.

The Endowments department without having any right or title or interest in the said land claiming falsely that, the said land belongs to Sri Varaha Lakshmi Narasimha swamy temple, Simhachalam, Visakhapatnam and included the same in the prohibited list of properties U/s.22(A)(1)(c) of the Registration Act 1908. In fact, the temple has got lands in other survey numbers but not in these survey numbers 88/1, 88/3, 94, 146, 178/1.

I submit that, the possession and enjoyment and the cultivation of the said lands by "Mantha family" is evidenced by Gilman report during British regime. Even as per the report of the Collector & District Magistrate, Visakhapatnam, the said land had been under the possession enjoyment of the said family as owners.

I submit that, when the family members belongs to Mantha family i.e., Mantha Srihari sold away the part of the said land, the Registration Authorities refused to register the same on the ground that the endowments department claimed the said land. At that juncture, the said Mantha Srihari got filed W.P.No.7441/2007 and the same was allowed by the Hon'ble High Court as per orders dated 12-04-2007 and accordingly the said document was registered in favour of the purchaser.

I submit that, subsequently myself purchased the said land from the vendee of Mantha Srihari and when the sale deed was presented for registration, again the same was refused by the sub-registrar on the ground that the land was claimed by the endowments department. Then, I have filed W.P.No.25022/2011 before the Hon'ble High Court and the same was allowed after due hearing on 22-01-2013

I submit that, against the said orders in W.P.No.25022/2011, Sri Varaha Lakshmi Narasimha swamy vari devastanam, Simhachalam, Visakhapatnam, preferred writ appeal in W.A.No.230/2013, and after due hearing the said writ appeal was dismissed in my favour as per orders dated 19-02-2013, while confirming the orders passed by the Learned Single Judge in W.P.No.25022/2011. Thereafter, my document was registered by the sub-registrar.

I submit that, in spite of the above mentioned facts and the Hon'ble Court orders, the endowments department i.e., Sri Varaha Lakshmi Narasimha swamy vari devastanam, Simhachalam, Visakhapatnam, is claiming the lands falsely.

I submit that, the Estate Abolition Act 1948, came into force and according to which, if the lands are treated as belongs to any situation, then also the person who is in possession and enjoyment and cultivating the lands would get absolute rights and is only entitled to patta for the said land and the institution is not entitled to any patta.

I submit that, the said Mantha family members are in possession and enjoyment and cultivating the said land prior to several decades prior to coming into force of the said act in the year 1948. As such even if it is presumed that the said land belongs to any institution then also the said family got absolute rights, since the said land was classified as Zirayothi land as per Revenue records and is in possession enjoyment and cultivation of the said Mantha family.

I submit that, in view of the above mentioned facts and legal position, the said land in survey numbers 88/1, 88/3, 94, 146, 178/1 in an extent of Ac.6-60 cents situated in Adavivaram village, Visakhapatnam Rural Mandal, Visakhapatnam, is not an endowments land and purely a private land belongs to original land owners Mantha family from whom the

land passed on and ultimately came into my hands by way of registered purchase as mentioned above. But in spite of the above facts, the Endowments department Authorities still not deleting the same from the prohibited list of properties.

I submit that, I have made several representations to delete my land from the prohibited list of properties. But, in spite of representations, there is no response and hence I have approached the Hon'ble High Court and got filed W.P.No.25043/2023 and the Hon'ble Court after due hearing issued directions dated 06-05-2024 to the 2<sup>nd</sup> respondent therein i.e., the Commissioner, Endowments department, A.P., Gollapudi, Vijayawada, to examine the representation and pass appropriate orders in accordance with law within a period of two months from the date of receipt of the copy of the order and communicate the same to the petitioner. I herewith enclose the copy of the Hon'ble High Court orders.

I request you kindly conduct detailed enquiry and pass necessary orders for deleting the land of Ac.6-60 cents in survey numbers 88/1, 88/3, 94, 146, 178/1 of Adavivaram village, Visakhapatnam Rural Mandal, Visakhapatnam District from the prohibited list of properties U/s.22(A)(1)(c) of the Registration Act 1908 and pass necessary orders as ordered by the Hon'ble High Court.

Yours Faithfully



(Kasaraneni Koteswara Rao)

Encl :- The above references 1 to 4.

Copy to the Spl. Chief Secretary to the Government, Revenue (Endowments) department, A.P. Secretariat, Velagapudi, Amaravathi, for favour of kind information, necessary action.



9/P  
Krishna :: District

IN THE HIGH COURT OF ANDHRA  
PRADESH AT AMARAVATHI

C.C.NO. OF 2025

IN  
WP. NO. 25043 of 2023

Endow

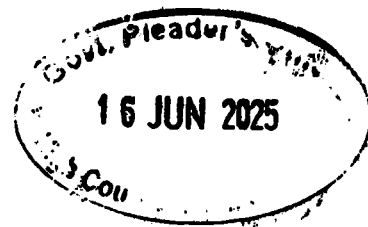
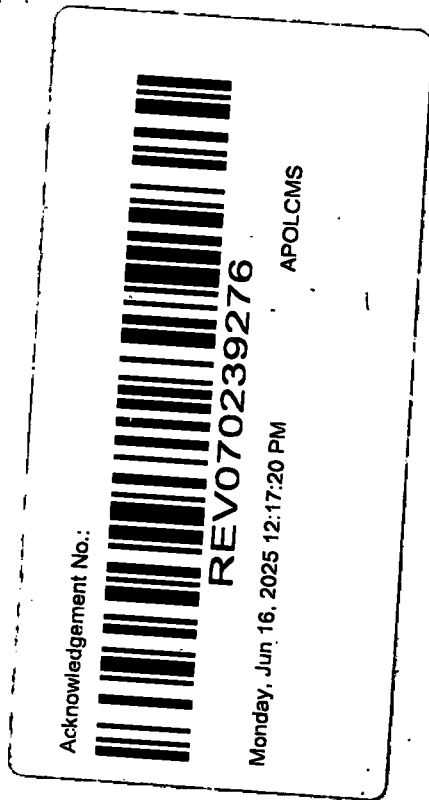
BETWEEN:

Kasaraneni Koteswara Rao  
..Petitioner

AND

Sri K. Ramachandra Mohan  
...Respondent

MEMO OF CONTEMPT CASE



Filed By:

M/s J. V. Phaniduth (22024)  
Advocate

Counsel for Petitioner  
Ph: 9393380220.