

IN THE HIGH COURT OF JUDICATURE OF ANDHRA PRADESH AT AMARAVATI

W.P.No. of 2025

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Amaravati

Date : 20-02-2025

D. Roy Sanyal
Counsel for the Petitioner

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

IN THE HIGH COURT OF ANDHRA PRADESH:: AMARAVATHI

W.P. NO.

OF 2025

BETWEEN:

Nune Hari Babu, S/o.Rama Kotaiah,
Aged about 59 years, Occ. Cultivation,
R/o.D.No.143-3A,
Poleramma Temple Centre, Varagani Village,
Pedanandipadu Mandal, Guntur District.

... Petitioner

AND

1. The State of Andhra Pradesh, Rep. by its
Principal Secretary, Endowments Department,
Secretariat Buildings, Velagapudi,
Amaravati, Guntur District.
2. The Commissioner,
Endowment Department, A.P.,
Gollapudi, Vijayawada, Krishna District.
3. The District Endowments Officer,
Guntur, Guntur District.
4. The Endowment Divisional Officer,
Guntur Division, Guntur, Guntur District.
5. The District Registrar,
Guntur, Guntur District.
6. The Joint Sub-Registrar-I,
Guntur, Guntur District.

... Respondents

The address for service on the above named Petitioner is that of his counsel
Mr. RAMASWAMY REDDY DAGGUBATI (24761), Advocate, Door No.20-3-265/1,
4th line, Gowthami Nagar, Koritepadu, Guntur-522007, Cell No.91107 82524

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 3rd
respondent in notifying the entire extent in Survey No.998-C of Old Guntur, Guntur
District under Section 22(A)(1)(c) of Registration Act, 1908 and prohibiting the same

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for registration is illegal, arbitrary, contrary to procedure contemplated under Registration Act, 1908 and violation of Article 300(A) of the Constitution of India and consequently direct the 2nd and 3rd respondents to dispose of the petitioner's application expeditiously and delete the Survey No.998-C of Old Guntur, Guntur District under Section 22(A)(1)(c) of Registration Act, 1908 and pass such other order or orders as this Hon'ble Court may deem fit and proper in the interest of Justice.

Amaravathi,

Date: 20-02-2025

D. Rama Sanyal
COUNSEL FOR THE PETITIONER

GUNTUR :: DISTRICT

IN THE HIGH COURT OF ANDHRA
PRADESH:: AMARAVATHI

W.P. NO.

OF 2025

WRIT PETITION

RAMASWAMY REDDY DAGGUBATI (24761)
Advocate
COUNSEL FOR PETITIONER

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IN THE HIGH COURT OF ANDHRA PRADESH:: AMARAVATHI

W.P.NO. OF 2025

CHRONOLOGICAL

Annexure – I

S. No	Date	Description of the Events	Page Nos	Para No.
1		Yalavarthi Kutumbacharyulu purchased Ac.1-32 cents in S.No.998-C, Ac.1-33 cents in S.No.998-D, Ac.1-33 cents in S.No.998-E i.e., a total extent of Ac.3-98 cents situated at Old Guntur, Guntur City under a registered sale deed and had been in peaceful possession and enjoyment of the same without any objections or obstructions from anybody.	10	3
2	26-06-1914	Yalavarthi Kutumbacharyulu executed a registered gift deed bearing No.2415 / 1914, dated 26-06-1914 in favour of Pulidhikurthi Narasamma by authorizing her to enjoy the mense profit derived on the eastern side extent of Ac.2-00 cents out of Ac.3-98 cents in S.No.998-C, 998-D, 998-E of Old Guntur, Guntur during her lifetime and after her demise, the said eastern side extent of Ac.2-00 cents out of Ac.3-98 cents in S.No.998-C, 998-D, 998-E of Old Guntur, Guntur shall be utilized for Sri Kanchi Kamakshi and Ekambareswara Swamy Devastanam, Old Guntur, Guntur District.	10	4
3	31-10-1962	Yalavarthi Kutumbacharyulu died intestate without making any arrangements pertaining to the remaining Ac.1-98 cents out of Ac.3-98 cents in S.No.998-C; 998-D; 998-E after donating eastern side Ac.2-00 cents to Sri Kanchi Kamakshi and Ekambareswara Swamy Devastanam. After, the legal heirs of deceased Yalavarthi Kutumbacharyulu namely Yalavarthi Subramanya Bhaskaracharyulu and his sons, Yalavarthi Prabhakara Sarma and his sons and Yalavarthi Rama Lingeswara Sarma entered into a registered Partition Deed bearing No.4734 / 1962, dated 31-10-1962 in respect of their joint family properties including the aforesaid Ac.1-98 cents in S.No.998-C, 998-D, 998-E. As per the Partition Deed, Yalavarthi Rama Lingeswara Sarma got the northern side Ac.0-66 cents out of western side Ac.1-98 cents in S.No.998-C, 998-D, 998-E of Old Guntur towards his share.	10	5
4	10-06-2008 29-09-2013	On 10-06-2008 Yalavarthi Rama Lingeswara Sarma executed an unregistered WILL in favour of his only son Yalavarthi Vijaya Saradhi by bequeathing the aforesaid Ac.0-66 cents out of western side Ac.1-98	11	6

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	18-09-2014	cents in S.No.998-C, 998-D, 998-E of Old Guntur after his demise. Subsequently Yalavarthi Rama Lingeswara Sarma died on 29-09-2013. As such, the unregistered WILL came into force and Vijaya Saradhi became absolute owner of Ac.0-66 cents out of Ac.1-98 cents in S.No.998-C, 998-D, 998-E of Old Guntur and had been in peaceful possession and enjoyment of the same until his demise on 18-09-2014. After the demise of Vijaya Saradhi, his wife Yalavarthi Krishnaveni and their only daughter Yalavarthi Tejaswi succeeded the properties mentioned in unregistered WILL, dated 10-06-2008.		
5	02-06-2018 09-09-2018 16-12-2018	Yalavarthi Krishnaveni and her daughter Yalavarthi Tejaswi offered to sell the Ac.0-66 cents out of western side Ac.1-98 cents in S.No.998-C, 998-D, 998-E of Old Guntur. At that juncture, petitioner purchased the property for Rs.25,00,000/-. On 02-06-2018 petitioner paid Rs.5,00,000/- towards advance sale consideration and obtained a Sale Agreement, dated 02-06-2018 in his favour in respect of Ac.0-66 cents out of western side Ac.1-98 cents in S.No.998-C, 998-D, 998-E of Old Guntur. Later, petitioner paid Rs.8,00,000/- on 09-09-2018 and Rs.10,00,000/- on 16-12-2018 to Yalavarthi Krishnaveni and her daughter Yalavarthi Tejaswi towards part payment of balance sale consideration. The same was endorsed on the backside of the Sale Agreement.	11	7
6	02-06-2018 11-02-2020 07-11-2020	Yalavarthi Krishnaveni and her daughter Yalavarthi Tejaswi did not register the sale deed in favour of petitioner by receiving balance sale consideration of Rs.2,00,000/-, inspite of repeated demands made by him. Having no other go, the petitioner filed a suit in O.S.No.187 / 2019 on the file of the I Additional Senior Civil Judge Court, Guntur against Yalavarthi Krishnaveni and Yalavarthi Tejaswi for Specific Performance of Contract of Sale Agreement, dated 02-06-2018 or in alternative for recovery of Rs.23,00,000/- along with interest. After perusal of the evidence on record, the Hon'ble Lower Court decreed the suit in O.S.No.187 / 2019 in my favour on 11-02-2020. In pursuance of the decree, the petitioner deposited balance sale consideration of Rs.2,00,000/- in the account of I Additional Senior Civil Judge Court, Guntur on 07-11-2020 and filed an Execution Petition in E.P.No.132 / 2020 before the I Additional Senior Civil Judge Court, Guntur.	11,12	8
7		During the course of period, the revenue authorities have sub-divided the S.No.998-C into two sub-divisions viz., S.No.998-C1 consisting of Ac.0-89	12	9

		refused to register Sale Deed in favour of petitioner.		
11	09-01-2022 29-03-2023	On 29-03-2023 this Hon'ble High Court disposed of the W.P.(PIL).No.70 / 2022 by setting aside the Rc.No.19022(35)/6/2021 dated 09-01-2022 and giving liberty to 8 th Respondent therein to avail the appropriate remedy as provided under law with an observation that the 2 nd respondent has jurisdiction to pass an order which has the effect of deletion of properties from the list of prohibited properties under Section 22A(1)(c) of the Act of 1908, which were included in the said list by virtue of their inclusion in the register of properties belonging to Endowments maintained under Section 43 of the Act of 1987.	13	13
12	07-02-2025 17-02-2025	On 07-02-2025 petitioner made a representation to the 2 nd respondent seeking to delete the S.No.998-C of Old Guntur from the prohibited properties list notified under Section 22A(1)(c) of the Act of 1908. In pursuance of the same, the 2 nd respondent issued a Memo in Rc.No.M1/COE-19021(35)/11/2025, dated 17-02-2025 by requesting the 3 rd respondent to enquire into the matter and submit a detailed report immediately along with sub-division record and connected material papers. But, no action was taken by the 3 rd respondent till date.	13	14
13	26-06-1914	Though it is very clear that, as per the link document bearing No.2415 / 1914, dated 26-06-1914, only the eastern side extent of Ac.2-00 cents out of Ac.3-98 cents in S.No.998-C, 998-D, 998-E of Old Guntur, Guntur District is given for Sri Kanchi Kamakshi and Ekambareswara Swamy Temple, Old Guntur, Guntur District, the 2 nd respondent notified the entire extent in S.No.998-C of Old Guntur, Guntur under Section 22A(1)(c) of the Registration Act, 1908, which is arbitrary, illegal, contrary to the provisions of Registration Act, 1908 and violation of Article 300A of the Constitution of India. If the S.No.998-C is not deleted from Section 22A(1)(c) of the Act, petitioner will be deprived of my property and put to irreparable loss and hardship. Hence this Writ Petition..	13	15

ANNEXURE-II

Under Article 226 of Constitution of India.

Amaravathi,

DATE: 20-02-2025.



Counsel for Petitioner/s

		cents and S.No.998-C2 consisting of Ac.0-34 cents. The said Ac.0-66 cents which was purchased by the petitioner fell into S.No.998-C1 as per the FMB and revenue records.		
8	03-02-2025 07-02-2025 20-03-2023	On 03-02-2025 the I Additional Senior Civil Judge Court, Guntur sent Draft Sale Deed to Sub-Registrar Office, Guntur for registration of Ac.0-66 cents out of western side Ac.1-98 cents in S.No.998-C, 998-D, 998-E of Old Guntur in favour of petitioner. But, 6 th respondent issued Endorsement vide Lr.No.NIL/2025, dated 07-02-2025 to I Addl. Civil Judge, Senior Division, Guntur stating that "The S.No.998-C, 998-D, 998-E of Old Guntur is notified under Section 22(A)(1)(c) of Registration Act, 1908 and placed in Prohibited Property List as the Survey Numbers belong to Sri Kanchi Kamakshi and Ekambareswara Swamy Temple, Old Guntur, Guntur District vide proceedings in Rc.No.19022(35)/6/2020, dated 20-03-2023 issued by the 2 nd petitioner. Unless such survey numbers deleted from prohibited property register maintained by department in CCA Program as per the orders of the 2 nd respondent with the concurrence of the District Collector, Guntur, it is unable to register the same and requested the Hon'ble Court to furnish the deleting orders from Endowment Department along with sale deed for registration of the same".	12	10
9	09-01-2022	The petitioner made enquiries and came to know that the entire extent in S.No.998-C, 998-D, 998-E of Old Guntur are notified under Section 22(A)(1)(c) of Registration Act, 1908 as they belong to Sri Kanchi Kamakshi and Ekambareswara Swamy Temple, Old Guntur, Guntur District. Later, the 2 nd respondent issued proceedings vide Lr.in Rc.No.19022(35)/6/2021 dated 09-01-2022 stating that S.No.998-C, 998-D, 998-E of Old Guntur notified under Section 22(A)(1)(c) of Registration Act, 1908 shall be read as Survey No.989 only.	12, 13	11
10	09-01-2022 20-03-2023	Aggrieved by the same, W.P.(PIL) No.70 / 2022 is filed before this Hon'ble Court by Juluri Hemangada Gupta and others to set aside Rc.No.19022(35)/6/2021 dated 09-01-2022. During pendency of PIL, 2 nd respondent issued proceedings in Rc.No.19022 (35)/6/2020, dt. 20-03-2023 to registration authorities to continue the lands covered by Sy.No.998/B, C, D & E to an extent of Ac.2-00 cents each at Old Guntur, Guntur, in the prohibitory list maintained under Section 22A(1)(c) of the Act of 1908, till further orders pending disposal of W.P.(PIL) No.70 / 2022. Basing on the said proceedings, the 6 th respondent	12	12

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IN THE HIGH COURT OF JUDICATURE OF ANDHRA PRADESH AT AMARAVATI

W.P.No.

of 2025

Between

Nune Hari Babu, S/o.Rama Kotaiah,
Aged about 59 years, Occ. Cultivation,
R/o.D.No.143-3A,
Poleramma Temple Centre, Varagani Village,
Pedanandipadu Mandal, Guntur District.

... Petitioner

AND

1. The State of Andhra Pradesh, Rep. by its
Principal Secretary, Endowments Department,
Secretariat Buildings, Velagapudi,
Amaravati, Guntur District.
2. The Commissioner,
Endowment Department, A.P.,
Gollapudi, Vijayawada, Krishna District.
3. The District Endowments Officer,
Guntur, Guntur District.
4. The Endowment Divisional Officer,
Guntur Division, Guntur, Guntur District.
5. The District Registrar,
Guntur, Guntur District.
6. The Joint Sub-Registrar-I,
Guntur, Guntur District.

... Respondents

AFFIDAVIT FILED BY THE PETITIONER

I, Nune Hari Babu, S/o.Rama Kotaiah, aged about 59 years, Occ. Cultivation, R/o.D.No.143-3A, Poleramma Temple Centre, Varagani Village, Pedanandipadu Mandal, Guntur District, do hereby solemnly and sincerely state on oath as follows;

1. I submit that I am the petitioner herein and as such I am well acquainted with the facts of the case.
2. I humbly submit that the present writ petition is filed declaring the action of the 2nd respondent in notifying the entire extent in Survey No.998-C of Old Guntur, Guntur District under Section 22(A)(1)(c) of Registration Act, 1908 and prohibiting

the same for registration is illegal, arbitrary, contrary to procedure contemplated under Registration Act, 1908 and violation of Article 300(A) of the Constitution of India and consequently direct the 2nd and 3rd respondents to dispose of the petitioner's application expeditiously and delete the Survey No.998-C1 of Old Guntur, Guntur District under Section 22(A)(1)(c) of Registration Act, 1908.

3. I humbly submit that Mr. Yalavarthi Kutumbacharyulu, S/o.Veeraiah purchased an extent of Ac.1-32 cents in Survey No.998-C, an extent of Ac.1-33 cents in Survey No.998-D, an extent of Ac.1-33 cents in Survey No.998-E i.e., a total extent of Ac.3-98 cents situated at Old Guntur, Guntur City under a registered sale deed and had been in peaceful possession and enjoyment of the same without any objections or obstructions from anybody.

4. I humbly submit that the said Yalavarthi Kutumbacharyulu executed a registered gift deed bearing No.2415 / 1914, dated 26-06-1914 in favour of Pulidhikurthi Narasamma by authorizing her to enjoy the mense profit derived on the eastern side extent of Ac.2-00 cents out of Ac.3-98 cents in Survey No.998-C, 998-D, 998-E of Old Guntur, Guntur during her lifetime and after her demise, the said eastern side extent of Ac.2-00 cents out of Ac.3-98 cents in Survey No.998-C, 998-D, 998-E of Old Guntur, Guntur shall be utilized for Sri Kanchi Kamakshi and Ekambareswara Swamy Devastanam, Old Guntur, Guntur District.

5. I humbly submit that subsequently the said Yalavarthi Kutumbacharyulu died intestate without making any arrangements pertaining to the remaining Ac.1-98 cents out of Ac.3-98 cents in Survey No.998-C, 998-D, 998-E after donating eastern side Ac.2-00 cents to Sri Kanchi Kamakshi and Ekambareswara Swamy Devastanam. Then after, the legal heirs of the deceased Yalavarthi Kutumbacharyulu namely Yalavarthi Subramanya Bhaskaracharyulu and his sons, Yalavarthi Prabhakara Sarma and his sons and Yalavarthi Rama Lingeswara Sarma entered into a registered Partition Deed bearing No.4734 / 1962, dated 31-10-1962 in respect of their joint family properties including the aforesaid Ac.1-98 cents in Survey No.998-C, 998-D, 998-E. As per the registered Partition Deed, Yalavarthi Rama Lingeswara Sarma got the northern side Ac.0-66 cents out of western side Ac.1-98 cents in Survey No.998-C, 998-D, 998-E of Old Guntur towards his share.

6. I humbly submit that later, on 10-06-2008 the said Yalavarthi Rama Lingeswara Sarma executed an unregistered WILL in favour of his only son by name Yalavarthi Vijaya Saradhi by bequeathing the aforesaid Ac.0-66 cents out of western side Ac.1-98 cents in Survey No.998-C, 998-D, 998-E of Old Guntur and some other properties after his demise. Subsequently the said Yalavarthi Rama Lingeswara Sarma died on 29-09-2013 without cancelling or modifying the said WILL. As such, the unregistered WILL, dated 10-06-2008 came into force and Yalavarthi Vijaya Saradhi became the absolute owner of the said Ac.0-66 cents out of Ac.1-98 cents in Survey No.998-C, 998-D, 998-E of Old Guntur and other properties and had been in peaceful possession and enjoyment of the same until his demise on 18-09-2014. After the demise of Yalavarthi Vijaya Saradhi, his wife Smt. Yalavarthi Krishnaveni and their only daughter Yalavarthi Tejaswi succeeded the properties mentioned in the unregistered WILL, dated 10-06-2008.

7. I humbly submit that as matter stood thus, the said Yalavarthi Krishnaveni and her daughter Yalavarthi Tejaswi offered to sell the Ac.0-66 cents out of western side Ac.1-98 cents in Survey No.998-C, 998-D, 998-E of Old Guntur to meet out their family necessities. At that juncture, I have negotiated to purchase the said property for a bill contract of Rs.25,00,000/- (Rupees twenty five lakhs only). Subsequently on 02-06-2018 I have paid an amount of Rs.5,00,000/- towards advance sale consideration and obtained a Sale Agreement, dated 02-06-2018 in his favour in respect of Ac.0-66 cents out of western side Ac.1-98 cents in Survey No.998-C, 998-D, 998-E of Old Guntur. Later, I have paid an amount of Rs.8,00,000/- on 09-09-2018 and Rs.10,00,000/- on 16-12-2018 to Yalavarthi Krishnaveni and her daughter Yalavarthi Tejaswi towards part payment of the balance sale consideration. The same was endorsed on the backside of the Sale Agreement.

8. I humbly submit that since then Yalavarthi Krishnaveni and her daughter Yalavarthi Tejaswi did not come forward to register the sale deed in my favour by receiving the balance sale consideration of Rs.2,00,000/-, inspite of repeated demands made by me. Having no other go, I constrained to file a suit in O.S.No.187 / 2019 on the file of the Hon'ble I Additional Senior Civil Judge Court, Guntur against Yalavarthi Krishnaveni and her daughter Yalavarthi Tejaswi seeking for Specific Performance of Contract of Sale Agreement, dated 02-06-2018 or in alternative for

recovery of Rs.23,00,000/- along with interest. After perusal of the evidence on record, the Hon'ble Lower Court decreed the suit in O.S.No.187 / 2019 in my favour on 11-02-2020. In pursuance of the decree, I have deposited the balance sale consideration of Rs.2,00,000/- in the account of I Additional Senior Civil Judge Court, Guntur on 07-11-2020 and filed an Execution Petition in E.P.No.132 / 2020 before the Hon'ble I Additional Senior Civil Judge Court, Guntur.

9. I humbly submit that during the course of period, the revenue authorities have sub-divided the Survey No.998-C into two sub-divisions viz., Survey No.998-C1 consisting of Ac.0-89 cents and Survey No.998-C2 consisting of Ac.0-34 cents. The said Ac.0-66 cents which was purchased by me fell into Survey No.998-C1 as per the FMB and revenue records.

10. I humbly submit that during the pendency of the E.P. proceedings, on 03-02-2025 the Hon'ble I Additional Senior Civil Judge Court, Guntur sent the Draft Sale Deed to the Sub-Registrar Office, Guntur for registration of the Ac.0-66 cents out of western side Ac.1-98 cents in Survey No.998-C, 998-D, 998-E of Old Guntur in my favour. But, the 6th respondent issued an Endorsement vide Lr.No.NIL/2025, dated 07-02-2025 to the Hon'ble I Addl. Civil Judge, Senior Division, Guntur stating that ***"The Survey No.998-C, 998-D, 998-E of Old Guntur is notified under Section 22(A)(1)(c) of Registration Act, 1908 and placed in Prohibited Property List as the Survey Numbers belong to Sri Kanchi Kamakshi and Ekambareswara Swamy Temple, Old Guntur, Guntur District vide proceedings in Rc.No.19022(35)/6/2020, dated 20-03-2023 issued by the Commissioner, Endowment Department, A.P., Vijayawada. Unless such survey numbers deleted from prohibited property register maintained by the department in CCA Program as per the orders of the Commissioner, Endowment Department with the concurrence of the District Collector, Guntur, it is unable to register the same and requested the Hon'ble Court to furnish the deleting orders from Endowment Department along with sale deed for registration of the same"***.

11. I humbly submit that in pursuance of the same, I made enquiries and came to know that the entire extent in Survey No.998-C, 998-D, 998-E of Old Guntur are notified under Section 22(A)(1)(c) of Registration Act, 1908 as they belong to Sri Kanchi Kamakshi and Ekambareswara Swamy Temple, Old Guntur, Guntur District.

But, later, the 2nd respondent issued proceedings vide Lr.in Rc.No.19022(35)/6/2021 dated 09-01-2022 stating that the Survey No.998-C, 998-D, 998-E of Old Guntur notified under Section 22(A)(1)(c) of Registration Act, 1908 shall be read as Survey No.989 only.

12. I humbly submit that aggrieved by the same, a Public Interest Litigation in W.P.(PIL) No.70 / 2022 is filed before this Hon'ble Court by Juluri Hemangada Gupta and others to set aside the Rc.No.19022(35)/6/2021 dated 09-01-2022. During the pendency of the PIL, the 2nd respondent issued proceedings in Rc.No.19022(35)/6/2020, dated 20-03-2023 to the registration authorities to continue the lands covered by Sy.No.998/B, C, D & E to an extent of Ac.2-00 cents each at Old Guntur, Guntur, in the prohibitory list maintained under Section 22A(1)(c) of the Act of 1908, till further orders pending disposal of the writ petition in W.P.(PIL) No.70 / 2022. Basing on the said proceedings, the 6th respondent refused to register the Sale Deed in my favour.

13. I humbly submit that on 29-03-2023 this Hon'ble High Court disposed of the W.P.(PIL).No.70 / 2022 by setting aside the Rc.No.19022(35)/6/2021 dated 09-01-2022 and giving liberty to the 8th Respondent therein to avail the appropriate remedy as provided under law with an observation that the 2nd respondent has jurisdiction to pass an order which has the effect of deletion of properties from the list of prohibited properties under Section 22A(1)(c) of the Act of 1908, which were included in the said list by virtue of their inclusion in the register of properties belonging to the Endowments maintained under Section 43 of the Act of 1987.

14. I humbly submit that subsequently on 07-02-2025 I made a representation to the 2nd respondent seeking to delete the Survey No.998-C of Old Guntur from the prohibited properties list notified under Section 22A(1)(c) of the Act of 1908. In pursuance of the same, the 2nd respondent issued a Memo in Rc.No.M1/COE-19021(35)/11/2025, dated 17-02-2025 by requesting the 3rd respondent to enquire into the matter and submit a detailed report immediately along with sub-division record and connected material papers. But, no action was taken by the 3rd respondent till date.

15. I humbly submit that though it is very clear that, as per the link document bearing No.2415 / 1914, dated 26-06-1914, only the eastern side extent of Ac.2-00 cents out of Ac.3-98 cents in Survey No.998-C, 998-D, 998-E of Old Guntur, Guntur District is given for Sri Kanchi Kamakshi and Ekambareswara Swamy Temple, Old Guntur, Guntur District, the 2nd respondent notified the entire extent in Survey No.998-C of Old Guntur, Guntur under Section 22A(1)(c) of the Registration Act, 1908, which is arbitrary, illegal, contrary to the provisions of Registration Act, 1908 and violation of Article 300A of the Constitution of India. If the Survey No.998-C is not deleted from Section 22A(1)(c) of the Act, I will be deprived of my property and put to irreparable loss and hardship. Hence this Writ Petition.

16. In view of the above, I left with no other alternative efficacious remedy, except to approach this Hon'ble Court under Article 226 of the Constitution of India.

17. The Petitioner has 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 his knowledge, no writ or proceedings are pending in any court of law except to the extent stated above.

18. 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 3rd respondent in notifying the entire extent in Survey No.998-C of Old Guntur, Guntur District under Section 22(A)(1)(c) of Registration Act, 1908 and prohibiting the same for registration is illegal, arbitrary, contrary to procedure contemplated under Registration Act, 1908 and violation of Article 300(A) of the Constitution of India and consequently direct the 2nd and 3rd respondents to dispose of the petitioner's application expeditiously and delete the Survey No.998-C of Old Guntur, Guntur District under Section 22(A)(1)(c) of Registration Act, 1908 and pass such other order or orders as this Hon'ble Court may deems fit and proper in the interest of Justice.

19. It is just and necessary that the Hon'ble Court may be pleased to direct the 6th respondent to receive, process, register and release the Sale Deed presented by the petitioner pertaining to Ac.0-66 cents out of Ac.0-89 cents in Survey No.998-C1 of Old Guntur, Guntur District as procedure contemplated under Registration Act,

-15-

DEPONENT

ADVOCATE :: AMARAVATHI

I, Nune Hari Babu, S/o.Rama Kotaiah, aged about 59 years, Occ. Cultivation, R/o.D.No.143-3A, Poleramma Temple Centre, Varagani Village, Pedanandipadu Mandal, Guntur District, being the deponent and well acquainted with the facts of the case, do hereby declare that the contents contained in the above affidavit are true to the best of personal knowledge, information and belief and are based on legal advice which I believe to be true and correct. Neither suppression of material facts nor any falsehood is stated.

Hence, verified on this, the 20th day of February, 2025 at Amaravati.

D. Lee Gray King
FOR PETITIONER

DEPONENT

Exp - 16 - 11 - 11

[illegible]

1. பெரிய கிணறு 999/6-76 பித்தா
 2. பெரிய கிணறு 999/6-76 பித்தா
 3. பெரிய கிணறு 999/6-76 பித்தா
 4. பெரிய கிணறு 999/6-76 பித்தா
 5. பெரிய கிணறு 999/6-76 பித்தா
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 8. பெரிய கிணறு 999/6-76 பித்தா
 9. பெரிய கிணறு 999/6-76 பித்தா
 10. பெரிய கிணறு 999/6-76 பித்தா

1. **Classification**
 2. **Category**
 3. **Disposal**
 Movement Dispatch
 Movement History
 Sent By
 SHIVAJI RAO
 KUTIAM, M SECT
 12/01
 08:05
 MODIUM TO
 SECTION
 MODIUM
 11/02/2
 02:19 PM

- 17 -

// వీట్ కాపీ //

తేది.07-02-2025

గౌరవనీయులైన
కమీషనర్ గారికి,
గొల్లపూడి, విజయవాడ.

అయ్యా,

శ్రీయుత కమీషనర్ మరియు ఇన్స్పెక్టర్ జనరల్ స్టాంప్స్ మరియు రిజిస్ట్రేషన్ డిపార్టుమెంట్ విజయవాడ లేఖ నెం.ఎం2/4894/1/0/2017 తేది.02-08-2017న ఎన్.ఓ.సి. ఇచ్చివున్నారు. ఆ లేఖ యందు సర్వే నెం.998/సి కి బదులుగా సర్వే నెం.988/సి అని వ్రాసివున్నారు. అందుమూలంగా సర్వే నెం.998/సి గా సరి చేసి మాకు ఇప్పించవలసినదిగా కోరుచున్నాము. రిజిస్ట్రేషన్ చేయించుకొనుటకు.

నూనె హరిబాబు వ్రాలు

// TRUE TRANSLATION //

Dt.07-02-2025

To

The Commissioner
Gollapudi, Vijayawada.

Respected sir,

The Commissioner and Inspector of Stamps and Registrations Department has issued NOC through Proceedings vide Lr.No.M2/4894/1/0/2017, dated 02-08-2017. It is mentioned as Survey No.998/C instead of Survey No.998/C. So, I humbly request you to kindly delete the Survey No.998/C for the list, for the purpose of registration.

Thanking you, sir.

Sd/- (NUNE HARI BABU)

Enp₂ - 19-

Office of the Commissioner,
Endowments Department
A.P. Vijayawada.

Memo.UL.No. M1/COE-19021(35)U1/2025, Dt: 17-02-2025.

Sub: Endowments Department - Estates Wing - Estates Wing
Guntur District - Request for deletion of land in Sy.No.998/O
Guntur East from the list of prohibitory properties furnished
U/Sec.22(A)(1)(c) of the Registration Act, 1908 - Report called
for - Reg.

Ref: Representation of Sri N.Hari Babu, R/o Guntur Town & District.

A copy of the reference cited together with its enclosures is herewith
sent to the District Endowments Officer, Guntur District. She is directed to
go into the matter and submit a detailed report immediately to this office
along with subdivision record and connected material papers, for taking
decision in the matter.

CHANDRA KUMAR T
ADDITIONAL COMMISSIONER

To
1. The District Endowments Officer, Guntur District. (w.e: As above)

2. By e-mail.

Illy signed by
DRA KUMAR TENALI
17-02-2025

- 20 -
// NEAT COPY //

Office of the Commissioner,
Endowments Department,
A.P., Vijayawada

Memo in Rc.No.M1/COE-19021(35)/11/2025, dated 17-02-2025

Sub : Endowments Department - Estates Wing - Estates Wing -
Guntur District - Request for deletion of land in Sy.No.998/C,
Guntur East from the list of prohibitory properties furnished
U/Sec.22(A)(1)(c) of the Registration Act, 1908 - Report Called
for - Reg.

Ref : Representation for Sri N. Hari Babu, R/o.Guntur Town &
District.

A copy of the reference cited together with its enclosures is herewith sent to the District Endowments Officer, Guntur District. She is directed to enquire into the matter and submit a detailed report immediately to this office along with sub-division record and connected material papers, for taking further action in the matter.

CHANDRA KUMAR T
ADDITIONAL COMMISSIONER

To

1. The District Endowments Officer, Guntur District (w.e: As above)
2. Extra-1

GAB - 21-

GOVERNMENT OF ANDHRA PRADESH
REGISTRATION AND STAMPS DEPARTMENT

From
M. Sharil Babu
Joint Sub Registrar-I
Guntur.

To
The Honble Ist Addl. Civil Judge,
Senior Division,
Guntur.

Lr No Nil./2025 dt.07.02.2025

Sir,

Sub: Courts - Civil -Registration of Sale Deed in E.P No.132/2020 in O.S
No.187/2019 on the file of Ist Addl. Civil Judge (Senior Division) -
Certain Information--Submitted- Reg.,

Ref: 1) Lr No Nil dt 03.02.2025 of Hon'ble Ist Addl. Civil Judge, Senior
Division, Guntur, along with sale deed.
2) Circular Memo No.61/19131/2005 dt 13.04.2018 of the
Commissioner and Inspector General of registration and
stamps, Tadepalli.
3) Circular Memo No.61/19131/2005 dt 17.10.2023 of the
Commissioner and Inspector General of registration and
stamps, Tadepalli

----- O -----

In obedience to the reference 1st cited, I would like to bring the following
few lines for your kind perusal.

It is humbly submitted that as per the recitals of the document property
belongs to Guntur Municipal corporation situated in Sy No.998/C.998/D and 998/E with
an extent of 0.66 cents vacant site. While verifying the market values and prohibited
property list as per this office records it is noticed that the Sy no's mentioned in the
document are belongs to Sri Kanchi Kamakshi and Ekambareswara swamy temple property
which are prohibited in nature, notified under section 22(A)(1)(c) of Registration Act-1908. By
the Endowment department vide Commissioner, Endowment Department, A.P., Vijayawada Ir
Rc no.19022(35)/6/2020 dt.20.03.2023.

Further it is submitted that the Commissioner and Inspector General of
Registration and stamps department vide reference 2nd and 3rd cited have instructed as follows

"Section 22(A)(1)(c):

(Properties owned by religious and charitable endowments) The list of properties owned by
religious and charitable endowments falling under the purview of the A.P Charitable and Hindu
religious institutions and endowments Act 1987 shall be furnished by the Commissioner
Endowment or CEO, Waqf board as the case may be along with approval of District Collector
concerned on the list to the registering officer having jurisdiction over such property and also
to the district Registrar concerned of Registration and Stamps department in the proforma

appended to Annexure III and subsequent additions if any also shall be sent in the same manner.

In case any property is received from any other authority the SR/Registering officer may refer the proposal to concerned District Collector for this concurrence.


All authorizations by the persons statutory empowered to alienate these properties shall be accompanied by notification issued by the concerned administrative department in Government and the signature attested by the concerned Head of the department.

Any deletions or modifications to these lists should be sent to the District Registrar of Registration and Stamps department having jurisdiction over such property under intimation to principal secretary, Endowments and Principal Secretary, Minority welfare who in turn will furnish the same to the concerned Registering officer along with concurrence of District Collector concerned having jurisdiction over such property for necessary action.

In view of the it is submitted that unless such Sy no's deleted from prohibited property register maintained by the department in CCA program as per the orders of the Commissioner Endowment department with the concurrence of the District Collector Guntur it is unable to register the same.

In view of the above facts, I humbly request the Hon'ble Court; please furnish the deleting orders from endowment department along with sale deed for registration of the same.

Yours faithfully


JOINT SUB-REGISTRAR-I
GUNTUR
Joint Sub-Registrar
GUNTUR

- 23 -

File No.COE-19022(35)/6/2020-M SEC-ENDOWMENTS

17/3/2023

GOVERNMENT OF ANDHRA PRADESH,
ENDOWMENTS DEPARTMENT

From
Dr. M.Hari Jawaharlal, I.A.S.,
Commissioner,
Endowments Department,
A.P., Vijayawada.

To
The District Registrar of Assurances,
Registration & Stamps Department,
Guntur,
Andhra Pradesh

Letter in Rc.No.19012(35)/6/2020, dt.20/03/2023

Sir,

Sub: Endowments Department - Estate Wing - Guntur District - Sri Kanchi Kamakshi and Ekambareswara Swamy Temple, Old Guntur, Guntur - Erratum orders to prohibition list u/s.22-A(1)(c) of Registration Act for Sy.No.993/B, C, D & E to an extent of Ac.2.00 each at old Guntur to read as Sy.No.989 to an extent of Ac.2.00 at old Guntur - Order to kept it in abeyance - Issued - Reg.

Ref: 1. This office letter in Rc.No.19022(35)/6/2020, dt.09.11.2022.
2. WP (PIL) No.70/2022 filed by Juluri Hemangada Gupta & 3 others

In the reference 1st cited, the Commissioner of Endowments issued an order of erratum to the prohibitory list: u/s.22-A(1)(c) of the Registration Act for the land in Sy.No.998/B, C, D & E to an extent of Ac.2.00 each at old Guntur, Guntur to read as Sy.No.989 to an extent of Ac.2.00 at old Guntur, Guntur belongs to Sri Kanchi Kamakshi and Ekambareswara Swamy Temple, Old Guntur.

In the reference 2nd cited, one Sri Juluri Hemangada Gupta & 3 others have filed WP (PIL) No.70/2022 before the Hon'ble High Court of A.P challenging the orders of the Commissioner of Endowments issued in the reference 1st cited and the same is pending.

REPLY TO THE ORDER

REPLY

In this regard, as per the advice of the learned Advocate General the erratum orders issued by the Commissioner of Endowments in the reference 1st cited are kept in abeyance pending disposal of WP (PIL) No.70/2022. Hence, it is requested to

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File No. COE-19022(35)/8/2020-M SEC-ENDOWMENTS

1733510/2023

continue the lands covered by Sy.No.998/B, C, D & E to an extent of Ac.2.00
old Guntur, Guntur in the prohibitory list maintained u/s.22-A(1)(c) of
Registration Act, till further orders.

Yours faithfully

Hari Jawaharlal M

Commissioner

Copy to

- 1.The Commissioner & Inspector General, Stamps & Registration Department,
Edpugallu(V), Kankipadu(M), NTR District
- 2.The Sub-Registrar, Stamps & Registration Department, Guntur
- 3.The District Endowments Officer, Endowments Department, Guntur
- 4.The Executive Officer, Sri Kanchi Kamakshi & Ekumbareswara Sawamy Temp
Old Guntur.
- 5.The Regional Joint Commissioner, Endowments Department, M.Z-II, Tirupathi
- 6.The Deputy Commissioner, Endowments Department, Guntur
7. Sri A.Harsha, S/o Vasudeva Rao, Guntur (Through SI.No - 3)
- 8.Extra.

O/o The District
Guntur.

Encl: G5/Prohibited/1306/2023. Dt. 06.4.23

"
COMMUNICATED"
"

to be taken above intimation and to take up

✓
10

The Joint Sub-Registrar
Guntur.

D. S. S.
DISTRICT REGISTRAR
GUNTUR

Signed by Hari Jawaharlal
IAS

Date: 20-03-2023 22:27:37
Reason: Approved



Government Of Andhra Pradesh Registration And Stamps Department

SRO Name: 715 Guntur (R.O.)

Prohibited Property - Rural

Dist Name: Guntur

Page 54 Of 66

Village Code: 0726006		GUNTUR (U)		GUNTUR(U) & (R)		Prohibited		Notified Gazette		Other Reference		Entry Date		Holder Name
Survey No	Sub Survey No	Plot No	Extent	Unit	Code	Description	No.	Date						
996	E	2	A	6		Endowment Land	15-ES,					10-JUL-18		68/78-A)
308	A	100	Y	11		Others	RC.NO.M2/9577/2018	15/07/2018				02-OCT-17		
998	A2	28	A	1		Govt Land		12/11/2018	VOL NO 18 PAGE NO 50			06-DEC-18		SRI KANCHI KAMKASHI AMMAVARI TEMPLE OLD GUNTUR GUNTUR BISABATHINI SRINIVASARAO,GOPI KRISHNA STATE GOVT
998	A3C	1771	M	8		Ceiling Affected Lr	RC.NO.66/2019-E2	18/09/2019	LA-PIPE LINE			12-OCT-19		
998	A3D	3014.4	M	8		Ceiling Affected Lr	RC.NO.2207/20	24/06/2016				10-JUL-16		STATE GOVT. SURPLUS IN C.C.NO.508/78-C STATE GOVT. SURPLUS IN (ULC NO.873/79C&674/78C) SRI KANCHI KAMAKASHI AND EKAMBARESWARA SWAMY TEMPLE OLD GUNTUR STATE GOVT SURPLUS
998	B	2	A	6		Endowment Land	15-ES, RC.NO.19022(3 5/8/20	24/06/2016				10-JUL-16		
998	B3C	1297	M	8		Ceiling Affected Lr	RCNO 2207/2015-ES	26/06/2016		COMMISSIONER ENDOWMENT DEPARTMENT		23-MAR-23		SRI KANCHI KAMAKASHI AND EKAMBARESWARA SWAMY TEMPLE OLD GUNTUR STATE GOVT SURPLUS
998	C	2	A	6		Endowment Land	RC.NO.19022(3 5/8/20	20/03/2023		COMMISSIONER ENDOWMENT DEPARTMENT		03-OCT-17		
998	D	2	A	6		Endowment Land	RC.NO.19022(3 5/8/20	20/03/2023		COMMISSIONER ENDOWMENT DEPARTMENT		23-MAR-23		SRI KANCHI KAMAKASHI AND EKAMBARESWARA SWAMY TEMPLE OLD GUNTUR STATE GOVT SURPLUS IN (ULC NO.38/79 - A) SRI KANCHI KAMAKASHI AND EKAMBARESWARA SWAMY TEMPLE OLD GUNTUR
998	E	974	M	8		Ceiling Affected Lr	RC.NO.2207/20 15-ES	24/06/2016		COMMISSIONER ENDOWMENT DEPARTMENT		23-MAR-23		
998	E	2	A	6		Endowment Land	RC.NO.19022(3 5/8/20	20/03/2023		COMMISSIONER ENDOWMENT DEPARTMENT		10-JUL-16		STATE GOVT. SURPLUS IN (ULC NO.38/79 - A) SRI KANCHI KAMAKASHI AND EKAMBARESWARA SWAMY TEMPLE OLD GUNTUR
998	E	1.33	A	6		Endowment Land	RC.NO. A704/2014	05/01/2015		COMMISSIONER ENDOWMENT DEPARTMENT		23-MAR-23		
999	A1	120.66	Y	9		Covered By Court	IANO 150/2023	10/03/2023				15-MAR-16		KANCHI KAMAKASHI TEMPLE AMAKAVATHI JUBEDA ,INAYATHULLA,SHAIK JAWVULLA STATE GOVT
999	A3	35	A	1		Govt Land	RC.NO.66/2019-E2	18/09/2019	HONBLE JUNIOR CIVIL JUDGE GUNTUR			28-APR-23		
999	A4A	165	M	8		Ceiling Affected Lr	RC.NO.2207/20	24/06/2016	LA-PIPE LINE			12-OCT-19		STATE GOVT. SURPLUS IN (ULC NO. 53/78 C) STATE GOVT SURPLUS
999	B3U	1587.52	M	8		Ceiling Affected Lr	15 ES, RCNO 2207/2015-ES	26/06/2016				10-JUL-16		
999	B3U	15859.07	M	8		Ceiling Affected Lr	RC.NO.2207/20	24/06/2016				03-OCT-17		STATE GOVERNMENT SURPLUS LAND
1009		5	A	6		Endowment Land	15 E RCNO.M2/9577/2018	15/07/2016				08-OCT-17		
1014	2	3.98	A	6		Endowment Land	RCNO.M2/9577/2018	15/07/2016				02-OCT-17		SRI UDASEEN MATTAM OLD GUNTUR GUNTUR SRI UDASEEN MATTAM OLD GUNTUR GUNTUR STATE GOVT
1015	2	1.5	A	1		Govt Land	RC.NO.66/2019-E2	18/09/2019	PATH			02-OCT-17		
1015	2	2390.65	M	8		Ceiling Affected Lr	RC.NO.2207/20	24/06/2016				12-OCT-19		STATE GOVT. SURPLUS IN (ULC NO. 815/76C STATE GOVT. SURPLUS IN (ULC NO. 128/81-A) STATE GOVT. SURPLUS IN (ULC NO. 46/79-C) STATE GOVT. SURPLUS IN (ULC NO.188/ & 189/79C) SRI VISESH SATRAM B.R STADIUM GUNTUR TADISETTY NURALI MOHAN M/S.MUKEASH RICE INDUSTRIES,REP BY PROP.DALAVAYI NAGA
1015	2	477.04	M	8		Ceiling Affected Lr	15-ES, RC.NO.2207/20	24/06/2016				10-JUL-16		
1015	3	223.02	M	8		Ceiling Affected Lr	15-ES, RC.NO.2207/20	24/06/2016				10-JUL-16		STATE GOVT. SURPLUS IN (ULC NO. 815/76C STATE GOVT. SURPLUS IN (ULC NO. 128/81-A) STATE GOVT. SURPLUS IN (ULC NO. 46/79-C) STATE GOVT. SURPLUS IN (ULC NO.188/ & 189/79C) SRI VISESH SATRAM B.R STADIUM GUNTUR TADISETTY NURALI MOHAN M/S.MUKEASH RICE INDUSTRIES,REP BY PROP.DALAVAYI NAGA
1041	B2	579	M	8		Ceiling Affected Lr	15-ES, RC.NO.2207/20	24/06/2016				10-JUL-16		
1102		2.13	A	6		Endowment Land	15-ES, RCNO.M2/9577/2018	15/07/2016				02-OCT-17		STATE GOVT. SURPLUS IN (ULC NO. 815/76C STATE GOVT. SURPLUS IN (ULC NO. 128/81-A) STATE GOVT. SURPLUS IN (ULC NO. 46/79-C) STATE GOVT. SURPLUS IN (ULC NO.188/ & 189/79C) SRI VISESH SATRAM B.R STADIUM GUNTUR TADISETTY NURALI MOHAN M/S.MUKEASH RICE INDUSTRIES,REP BY PROP.DALAVAYI NAGA
1107	B1	999	Y	9		Covered By Court	17SA/COM/F/17/2022- RC/360/2019	13/01/2023	INCOME TAX DEPARTMENT DOOR NO 13-8-113/8			13-JAN-23		
1123	1		Y	9		Covered By Court		26/02/2022				26-FEB-22		

Date:05/02/2025, 01:19 PM

Source: CARD

158-1

Circular Memo No.G1/19131/2005

Dt: 13.04.2018.

Sub:- Registration and Stamps Department-Registration (A.P, Amendment) Act,2007 –
Act.No.19 of 2007 relating to Section 22-A –Procedure for furnishing of 22-A lists
–Further guidelines issued-Reg.

Ref:- 1.G.O.Ms.No.863,Rev(Regn.I)Dept.,dt:20.06.2007.
2.Circular Memo No.G1/19131/2005,dt:14.09.2007.
3.D.O.Letter of CCLA addressed to Pri Sec to Govt Rev(Assn-I),Dept A.P.,
Secretariat , Hyderabad and copy marked to this office dt.08.09.2015.
4.G.O.Ms.No.300, Rev(Assn.I)Dept.,dt:05.07.2016.
5.G.O.Rt.No.27, Rev(Assn.I)Dept.,dt:16.01.2017.
6.CCLA's D.O.Lr.No.Assn(1)/126/2016,dt:29.05.2017.
7.Govt.Memo No 32022/320/2017 , Rev(Regn-I)Dept, dt 12-04-18.

&&&

The Government have notified through the ref 1st cited, bringing the registration (A.P., Amendment) Act,2007 into force from 20.06.2007. The amendment relates to section 22(A) which prohibits registration of certain documents. In pursuance of the Government notification of the Act No.19 of 2007, the Commissioner & Inspector General through the reference 2nd cited issued the guidelines and directions to all officers concerned to implement the provisions of the Act.

Through the reference 6th cited, the CCLA proposed certain changes to existing procedure followed in furnishing of prohibited properties lists U/s 22(A) of Registration Act, 1908. The Government have permitted to make necessary amendments as sought by CCLA vide ref 7th cited. In view of the above, the following guidelines are issued to all concerned to implement the provisions of the act.

1. Section 22-A(1)(a): (Properties prohibited under the statute)-The lists of prohibited properties under the statute shall be furnished by the Collector to the registering officer having jurisdiction over such property and also to the District Registrar concerned of Registration and Stamps Department in the proforma appended to Annexure-I and subsequent additions if any also shall be sent in the same manner. The lists must be signed by Collector /Joint Collector of the District.

Any deletions or modifications to these lists should be sent to the District Registrar of Registration and Stamps Department having jurisdiction over such property under intimation to CCLA, who in turn will furnish the same to the concerned registering officer having jurisdiction over such property for necessary action.

2. Section 22-A(1)(b): (Properties owned by the State or Central Government)- The lists of immovable prohibited properties owned by State or Central Government as the case may be and subsequent additions , deletions or modifications if any to these lists shall be furnished by the Collector to the registering officer having jurisdiction over such property and also to the District Registrar concerned of Registration and Stamps Department in the proforma appended to Annexure-II and subsequent additions if any also shall be sent in the same manner. The lists must be signed by Collector /Joint Collector of the District.

All authorizations for presentation and execution of documents executed by the persons statutorily empowered to do so shall be accompanied by Government orders issued by the concerned department /Ministry of the State or Central Government along with signature of the person so authorized to present or execute the documents duly attested by the District Collector.

Any deletions or modifications to these lists should be sent to the District Registrar or Registration and Stamps Department having jurisdiction over such property under intimation to CCLA, who in turn will furnish the same to the concerned registering officer having jurisdiction over such property, for necessary action.

3. **Section 22-A(1)(C):** (Properties owned by religious and charitable endowments)- The list of properties owned by religious and charitable endowments falling under the purview of the A.P., Charitable and Hindu religious institutions and Endowments Act, 1987 shall be furnished by the Commissioner Endowment or CEO Waqf Board as the case may be to the registering officer having jurisdiction over such property and also to the District Registrar concerned of Registration and Stamps Department in the proforma appended to Annexure-III and subsequent additions if any also shall be sent in the same manner. The lists must be signed by the Commissioner of Endowments or CEO Waqf Board as the case may be.

All authorizations by the persons statutorily empowered to alienate these properties shall be accompanied by notification issued by the concerned administrative department in Government and the signature attested by the concerned Head of the Department.

Any deletions or modifications to these lists should be sent to the District Registrar of Registration and Stamps Department having jurisdiction over such property under intimation to Principal Secretary, Endowments and Principal Secretary, Minority Welfare, who in turn will furnish the same to the concerned Registering officer having jurisdiction over such property, for necessary action.

4. **Section 22-A(1)(d):** For the purpose of the Sec 22-A (1)(d) lists of lands declared as surplus lands under the A.P., Land Reforms (Ceiling on Agricultural Holdings) Act, 1973 or the Urban Land (Ceiling and Regulation) Act, 1976 and subsequent additions, deletions or modifications if any to these lists shall be furnished by the revenue authorities (Not below the rank of R.D.O) and the Special Officer and the competent authority to the registering officer having jurisdiction over such property and also to the District Registrar concerned in the proforma appended in Annexure-IV and subsequent additions if any also shall be sent in the same manner.

Any deletions or modifications to these lists should be sent to the District Registrar of Registration and Stamps Department having jurisdiction over such property under intimation to CCLA, who in turn will furnish the same to the concerned Registering officer having jurisdiction over such property, for necessary action.

All the Registering officers and the District Registrars on receipt of the intimations/notifications from the Authorized Officers as mentioned above, under sub Section (a) to (d) of Section 22-A(1) shall enter them in the prohibited property registers maintained electronically and also manually and confirm the fact of having made the entries to the Commissioner & Inspector General of Registration within fifteen (15) days from the date of receipt of the intimations/notifications.

All the intimations or notifications forwarded by the Authorized officers, in this regard to the concerned Registering officers /District Registrars shall be filed in a separate new file book (It shall be a PERMANENT REGISTER) title as "Intimations/notifications of prohibited properties U/s 22-A" and also publish such details on web site duly updating the information from time to time.

5. **Section 22-A (1) (e):** (Any documents or class of documents pertaining to the properties, the state government may by Notification prohibit the registration in which avowed or accrued interests of Government which are likely to adversely affect these interests)- For the class of the documents U/s 22-A(1) (e) the State government will notify the properties and shall be furnished to the registering officer having jurisdiction over such property and also to the District Registrar concerned of Registration and Stamps Department and subsequent additions if any also shall be sent in the same manner.

Any deletions or modifications to these lists under Section 22-A(1) (e), the committee constituted by the Government through the reference 4th cited shall be empowered to examine the relevant records and then pass a reasoned order either accepting or rejecting the grievance by either confirming /deleting /modifying any such property from the notified list of properties is final. Such orders 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 there by, they shall have to approach a Competent Court of Law for redressal of their grievance.

Sd/-P.Venkatarami Reddy
Director and Inspector General of
Registration and Stamps ., A.P., Vijayawada.


for Director and Inspector General of
Registration and Stamps ., A.P., Vijayawada.


13/04/18

Copy submitted to:

The Spl CS & CCLA, A.P., Gollapudi
The Spl CS Lands and Endowment,
Government of A.P., Velagapudi
Principal Secretary Minority welfare, A.P., Velagapudi
Commissioner Endowments., A.P., Vijayawada

Copy to

All the District Collectors, A.P.
CEO Wakf board, Vijayawada
All the Registering Officers in the State.
All the Deputy Inspector General (R&S) in the State
All the DRs and DR(Audits) in the State.
All Officers /Sections in the C&IGs Office.

2, -

Office of the Commissioner and Inspector General of
Registration and Stamps, A.P., Tadepalli.

Circular Memo No.G1/19131/2005

Dt: 17.10.2023.

Sub:- Registration and Stamps Department-Registration (A.P, Amendment) Act,2007 – Act.No.19 of 2007 relating to Section 22-A –Procedure for furnishing of 22-A lists – further modification instructions - issued-Reg.

Ref:- 1.G.O.Ms.No.863,Rev(Regn.I)Dept.,dt:20.06.2007.
2.TO Circular Memo No.G1/19131/2005,dt:11.09.2007.
3.D.O.Letter of CCLA addressed to Pri Sec to Govt Rev(Assn-I),Dept A.P., Secretariat, Hyderabad and copy marked to this office dt.08.09.2015.
4.G.O.Ms.No.300, Rev(Assn.I)Dept.,dt:05.07.2016.
5.G.O.Rt.No.27, Rev(Assn.I)Dept.,dt:16.01.2017.
6.CCLA's D.O.Lr.No.Assn(1)/126/2016,dt:29.05.2017.
7.Govt.Memo No 32022/320/2017, Rev(Regn-I)Dept, dt 12-04-18.
8.TO Circular Memo No.G1/19131/2005,dt:13.04.2018.
9.CCLA's Ref. No. REV02-18021/8/2023-SETTLEMENT II SEC-CCLA,
Date: 29.09.2023.

The Government have notified through the ref 1st cited, bringing the registration (A.P., Amendment) Act,2007 into force from 20.06.2007. The amendment relates to section 22(A) which prohibits registration of certain documents. In pursuance of the Government notification of the Act No.19 of 2007, the Commissioner & Inspector General through the reference 8th cited issued the further guidelines and directions to all officers concerned to implement the provisions of the Act.

Through the reference 9th cited, the Chief Commissioner CCLA & Spl Cs has brought to the notice that some of the Sub Registrars in the State are accepting the proposals for inclusion of Endowment - Inam lands from local officers and placing them in the Prohibitory Properties list U/s. 2-A(1) (c) of the Registration Act, 1908, without any verification by Revenue Department. This is causing undue hardship to pattadars as some private lands are being erroneously included in the list of prohibited properties U/S 22-A(1) (c) of the Registration Act, 1908. Further, it is brought to the notice that in order to avoid hardship to genuine pattadars, it is requested to issue suitable instructions among Sub-Registrars/Registration officers in the state not to accept any proposals for inclusion in the list of prohibited properties U/S 22-A(1) (c) without approval of concerned District Collector AND the Commissioner Endowment/CEO Wakf Board. In case any proposal is received directly from the concerned department the SRO may refer the proposal to the District Collector for his concurrence.

The Government have also permitted to make necessary amendments as sought by CCLA vide: ref 7th cited. In view of the above, the following instructions shall be substituted from Sl. No. 3 for strict implementation while entering the list of properties in prohibition watch registrar in CARD.

Sl. No. 3 of circular No. G1/19131/2005 Dt. 13.04.2018	Amended as
3. <u>Section 22-A(1)(C)</u> : (Properties owned by religious and charitable endowments)- The list of properties owned by religious and charitable endowments falling under the purview of the A.P., Charitable and Hindu	3. <u>Section 22-A(1)(C)</u> : (Properties owned by religious and charitable endowments)- The list of properties owned by religious and charitable endowments falling under the purview of the A.P., Charitable and Hindu religious institutions and Endowments Act, 1987, shall be furnished

by the Commissioner of Endowments (or) CEO, Wakf board as the case may be to the registering officer having jurisdiction over such property and also to the District Registrar concerned of Registration and Stamps Department in the proforma appended to Annexure-III and subsequent additions, if any also shall be sent in the same manner. The lists must be signed by the Commissioner of Endowments or CEO Wakf board as the case may be:

All authorizations by the persons statutorily empowered to alienate these properties shall be accompanied by notification issued by the concerned administrative department in Government and the signature attested by the concerned Head of the Department.


Any deletions or modifications to these lists should be sent to the District Registrar of Registration and Stamps Department having jurisdiction over such property under intimation to Principal Secretary, Endowments and Principal Secretary, Minority Welfare, who in turn will furnish the same to the concerned Registering officer having jurisdiction over such property, for necessary action.

by the Commissioner of Endowments (or) CEO, Wakf board as the case may be along with approval of District Collector concerned on the list to the registering officer having jurisdiction over such property and also to the District Registrar concerned of Registration and Stamps Department in the proforma appended to Annexure-III and subsequent additions, if any also shall be sent in the same manner.

In case any property is received from any other authority the SR/Registering officer may refer the proposal to concerned District collector for this concurrence.

All authorizations by the persons statutorily empowered to alienate these properties shall be accompanied by notification issued by the concerned administrative department in Government and the signature attested by the concerned Head of the Department.

Any deletions or modifications to these lists should be sent to the District Registrar of Registration and Stamps Department having jurisdiction over such property under intimation to Principal Secretary, Endowments and Principal Secretary, Minority Welfare, who in turn will furnish the same to the concerned Registering officer along with concurrence of District Collector concerned having jurisdiction over such property, for necessary action.


Commissioner and Inspector General of
Registration and Stamps, A.P., Tadepalli.

To
All the Registering Officers in the State.
All the DRs and DR (Audits) in the State.
All the District Collectors in the state

The CEO Wakf board, Vijayawada
The Commissioner, Endowments, A.P., Vijayawada

Copy submitted to:

The Chief Secretary to the Government, Revenue (Registration) Dept.- for Information
The Spl. CS & CCLA, A.P., Mangalagiri
The Spl. CS Lands and Endowment, Government of A.P., Velagapudi.
The Principal Secretary Minority welfare, A.P., Velagapudi



EXP4

INDIA NON JUDICIAL



IN-AP54406137292342W

Government of Andhra Pradesh

e-Stamp

-31-

Certificate No. IN-AP54406137292342W
Certificate Issued Date 30-Dec-2024 03:31 PM
Account Reference NEWMPAOC(TN)/ap18124503/AP-GNT/AP-GNT/apkasreu
DDO Code 27002398001/O/G R
Unique Doc. Reference SUBIN-APAP1812450395681316236267W
Purchased by NUNE HARIBABU S/o RAMAKOTAIAH
Description of Document A Sale of Not Mentioned
Property Description Not Applicable
Consideration Price (Rs.) 0
(Zero)
First Party NUNE HARIBABU S/o RAMAKOTAIAH
Second Party Not Applicable
Paid By (For Whom) NUNE HARIBABU S/o RAMAKOTAIAH
Stamp Duty Amount(Rs.) 100
(One Hundred only)



Please write or type below this line

SALE DEED

THIS DEED OF SALE IS MADE AND EXECUTED ON THIS
... DAY OF 2025.

I. EXECUTED BY

(1) Yalavarthi Krishna Veni, W/o. Vijaya Sarathi, Hindu, aged about 45 years, House wife and (2) Yalavarthi Tejaswi, D/o. Vijaya Saradhi, Hindu, aged about 23 years and both are residents of # 78-3-256/1, Ikbal Masjid Road, Lalapet, Guntur City, Guntur District, Andhra Pradesh, on their behalf Sri Y.Gopala Krishna, I Additional Senior Civil Judge, Guntur hereinafter called as the VENDORS.

II.**IN FAVOUR OF**

Nune Hari Babu, Son of Rama Kotaiah, aged about 57 years, Hindu, Cultivation and resident of Door No. 143-3A, Poleramma Temple Center, Varagani Village, Pedanandipadu Mandal, Guntur District, Andhra Pradesh, Hereinafter called as the VENDEE.

0026766173

Statutory Alert:

1. The authenticity of this Stamp certificate should be verified at 'www.shalestamp.com' or using e-Stamp Mobile App of Stock Holding.
Any discrepancy in the details on this Certificate and as available on the website / Mobile App renders it invalid.
2. The onus of checking the legitimacy is on the users of the certificate.

III.

WITNESSETH AS FOLLOWS

(1) WHEREAS in pursuance of the Decree, dated 11-02-2020 passed in O.S.No. 187 / 2019 on the file of I Additional Senior Civil Judge, Guntur, the Vendors herein are directed to execute a regular registered sale deed in respect of this sale deed schedule property in favour of the Vendee herein, failing which the Vendee herein is entitled to have sale deed executed through Court on behalf of the Vendors with all sorts of rights.

(2) Whereas, the Vendee as per the terms and conditions of the above said Decree and Judgment has deposited the balance sale consideration to a tune of Rs.2,00,000/- before the said court on 07-11-2020 under Bank Receipt / Treasury Challan No.555 [CFMS Transaction I.D. 40107088742020]. Thus, the Vendee has paid the total sale consideration payable to the Vendors pertaining to the schedule property.

(3) Whereas the above named Vendors have failed to execute sale deed as directed by this Honourable court in pursuance of the said Decree and Judgment passed in the original suit and even after filing the execution petition E.P.No. 132/ 2020 by the Vendee against the Vendors.

Thus, Sri Y. Gopala Krishna, I Additional Senior Civil Judge, Guntur on behalf of the Vendors is executing this Sale Deed assigning, conveying, granting and transferring all sorts of rights and title to the Vendee in respect of the sale deed schedule property.

VI.

SCHEDULE

An extent of Ac.0.66 cents of vacant site which is Northern portion out of Ac.1.98 cents which is Western portion out of Ac.3.98 cents in D.No. 998/C [Ac.1.32 cents]; D.No. 998/D [Ac.1.33 cents] and 998/E [Ac.1.33 cents] of Guntur within the limits of Guntur Municipal Corporation, Guntur Sub District, Guntur District within the following boundaries:-

East : Land of Pulidikurthi Nurasamma

South: Land of Yalavarthi Prabhakara Sarma

West : Land of Akkenapragada Venkata
Narasimha Rao

North: Vejendla Donka.

In witnesses whereof, I Y. Gopala Krishna, I Additional Senior Civil Judge, Guntur on behalf of the Vendors in pursuance of the Decree, dated 11-02-2020 passed in O.S.No.187/ 2019 on the file of this Court, wherein the Vendee is the plaintiff and the Vendors are the defendants, have got his hand and seal of this Court on the day of November, 2024.

WITNESSES:

(1)

(1) Yalavarthi Krishna Veni
(2) Yalavarthi Tejaswi,
On their behalf I Addl. Senior
Civil Judge, Guntur
(Presiding Officer)

(.....)

VENDORS

(2)

EX-34-

**IN THE COURT OF 1 ADDITIONAL SENIOR CIVIL JUDGE
AT GUNTUR.**

Present: Sri. D. Vijaya saradhi raju, LL.M.,
I Addl. Senior Civil Judge, Guntur.

Tuesday, this the 11th day of February, 2020.

O.S. No. 187 of 2019.

Between:-

Nune Hari Babu
S/o Rama Kotiah,
aged 54 years,
Hindu,
Cultivation,
r/o Door No.143-3A,
Polaramma Temple Center,
Varagani Village,
Pedanandipadu Mandal, Guntur District.

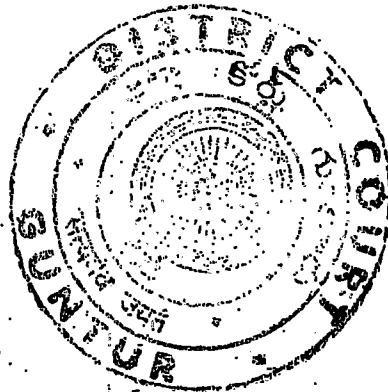
-38-

Plaintiff.

And

1) Yalavarthi Krishna Veni
W/o Vijaya Sarathi,
Aged 42 years,
Hindu,
House wife,
r/o 78-3-256/1,
Ikbal Masjid Road,
Lalapet,
Guntur.

2) Yalavarthi Tejaswi
D/o Vijaya Saradhi,
Aged about 20 years,
Hindu,
r/o 78-3-256/1,
Ikbal Masjid Road,
Lalapet,
Guntur.



Defendants.

-000-

This suit came before me for final hearing and disposal in the presence of Sri. S. Srinivasa Reddy, Learned counsel for plaintiff, and defendants having remained exparte, and upon hearing the arguments of both sides, and upon perusing the material papers on record, and having stood over for consideration till this day, this court delivered the following;

JUDGMENT

[1.] This is a suit filed U/O.7 Rule-1 r/w Sec.26 of CPC with a prayer to grant specific performance of agreement of sale dated 02-06-2018, or in alternative for recovery of Rs.23,00,000/- along with interest and to award costs.

C.C. MADE READY BY

PROVIST

[2.] The brief averments of plaint are that the defendants are the absolute owners of suit schedule property, and the defendants has executed an agreement of sale on 02-06-2018 in favour of plaintiff agreeing to sell the same for an amount of Rs.25,00,000/- and on the even date the defendants has received Rs.5,00,000/- towards part payment of consideration amount. The agreed consideration amount is Rs.25,00,000/- and the plaintiff has paid Rs.5,00,000/- on the date of agreement itself, and also paid an amount of Rs.8,00,000/- and Rs.10,00,000/- on 09-09-2018 and on 16-12-2018 respectively, and thereby the plaintiff has paid totaling Rs.23,00,000/- out of agreed sale consideration of Rs.25,00,000/-. But in spite of receiving major portion of consideration amount, the defendants failed to perform their part of contract, and on that the plaintiff got issued legal notice dated 17-08-2019 calling upon the defendants to perform their part of contract, that the plaintiff is always ready and willing to perform his part of contract and it is the defendants who failed to perform their part of contract and to register the suit schedule property in the name of plaintiff. Hence, the plaint.

[3.] The defendants were set ex parte.

[4.] To prove his case, the plaintiff got examined himself as FW1 and also examined one V. Raghavaiah as PW2 who is one of the attestors to the agreement of sale, and marked Exs.A1 to A7 documents and those are Ex.A1-Suit contract of sale executed by the defendants, dt. 02-06-2018, Ex.A2-part payment endorsement for Rs.8,00,000/- made on the back of Ex.A1, dt.09-09-2018, Ex.A3-Part payment endorsement for rs.10,00,000/- made on the back of Ex.A1, dt.16-12-2018, Ex.A4- Office copy of registered notice, dt.17-08-2019, Ex.A5-Postal receipts, dt.17-08-2019, Ex.A6-Returned registered notice of 1st defendant, dt.20-08-2019, and Ex.A7-Returned registered notice of 2nd defendant, dt.20-08-2019.

[5.] Heard the learned counsel for plaintiff.

[6.] Now the point that arises for consideration is that :

C.C. MADE READY BY

COPYIST

3-30-

"Whether the plaintiff is entitled for the reliefs prayed" ?

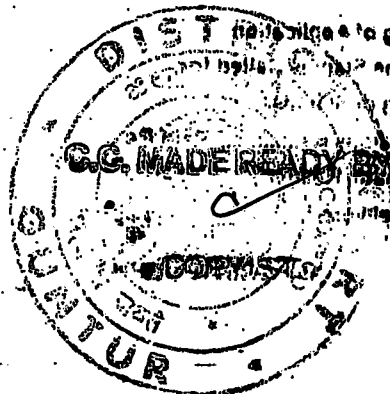
[7.] POINT:

In his chief affidavit PW1 reiterated the version in the plaint. PW2 who is attestor to the suit agreement of sale supported the version of plaintiff. According to the plaintiff, he is always ready and willing to perform his part of contract and it is the defendants who failed to perform their part of contract. Ex.A1 agreement of sale showing us that the defendants agreed to sell the suit schedule property to plaintiff, and Exs.A2 and A3 part payment endorsements showing that the defendants has received major portion of consideration. Since the defendants were set exparte, the version claimed by the plaintiff remains unchallenged and unrebutted. The plaintiff with his oral and documentary evidence has proved his case against the defendants, and as such he is entitled for the relief prayed. The point is decided in affirmative.

[8.] In the result, the suit is decreed against the defendants along with costs, and the plaintiff is directed to deposit Rs.2,00,000/- (Rupees two lakhs only) which is remaining sale consideration within three (3) months in the court under intimation to defendants, and from the date of such deposit, the defendants are directed to execute regular registered sale deed in favour of plaintiff for the suit schedule property, failing which the plaintiff is at liberty to obtain regular registered sale deed through process of law.

Dictated to the Stenographer Gr-I, transcribed by her, corrected and pronounced by me in the open court on this the 11th day of February, 2020.


I ADDL. SENIOR CIVIL JUDGE
GUNTUR.



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14

APPENDIX OF EVIDENCE
WITNESSES EXAMINED

For Plaintiff :

PW1: N. Hari Babu

PW2 : V. Raghavaiah

For Defendants:

Exparte

Documents marked

For Plaintiff:

For Defendant:

NIL.

Ex.A1 : Sult contract of sale executed by the defendants, dt. 02-06-2018

Ex.A2 : Part payment endorsement for Rs.8,00,000/- made on the back of

Ex.A1, dt.09-09-2018.

Ex.A3: Part payment endorsement for Rs.10,00,000/- made on the back of

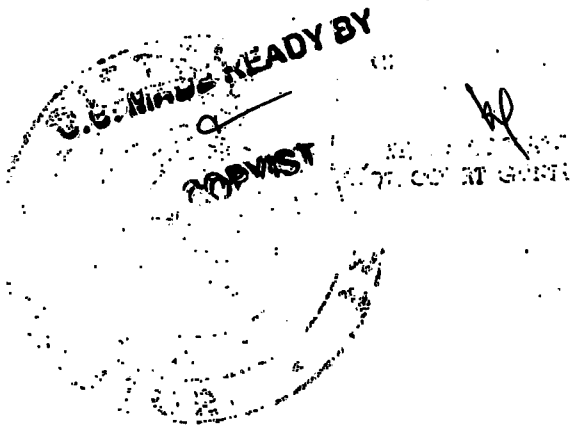
Ex.A1, dt.16-12-2018 .

Ex.A4: Office copy of registered notice, dt.17-08-2019

Ex.A5: Postal receipts, dt.17-08-2019

Ex.A6: Returned registered notice of 1st defendant, dt.20-08-2019

Ex.A7:Returned registered notice of 2nd defendant, dt.20-08-2019




I A.S.C.J. Gnt.

DISTRICT COURT, GUNTUR

C.A. No. 2356

Date of Filing of Application 12-2-2020

Date when the Stamps Called for 25-8-2020

Date of Filing of Stamps 18-8-2020

Court Fee Stamps Rs. 8 Paid Rs. 16

Date when made Ready 19-8-2020

Date when delivered 25-8-2020


SUPERINTENDENT

19/8/2020

-38-

**IN THE COURT OF 1 ADDITIONAL SENIOR CIVIL JUDGE
AT GUNTUR.**

Present: Sri. D. Vijaya saradhi raju, LL.M.,
I Addl. Senior Civil Judge, Guntur.

Tuesday, this the 11th day of February, 2020.

O.S. No. 187 of 2019.

Between:-

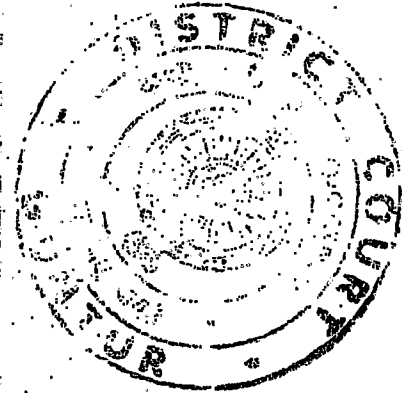
Nune Hari Babu
S/o Rama Kotiah,
aged 54 years,
Hindu,
Cultivation,
r/o Door No.143-3A,
Poleramma Temple Center,
Varaganl Village,
Pedanandipadu Mandal, Guntur District.

Plaintiff.

And

- 1) Yalavarthi Krishna Veni
W/o Vijaya Saradhi,
Aged 42 years,
Hindu,
House wife;
r/o 78-3-256/1,
Ikkal Maszid Road,
Lalapet,
Guntur.
- 2) Yalavarthi Tejaswi
D/o Vijaya Saradhi,
Aged about 20 years,
Hindu,
r/o 78-3-256/1,
Ikkal Maszid Road,
Lalapet,
Guntur.

Defendants.



This is a suit filed U/O.7 Rule-1 r/w Sec.26 of CPC with a prayer to grant specific performance of agreement of sale dated 02-06-2013, or in alternative for recovery of Rs.23,00,000/- along with interest and to award costs.

Plaint Presented on : 13-12-2019

Plaint numbered on : 16-12-2019

Cause of action for the suit arose on 2-6-2018 when the defendants have sold the plaintiff schedule land to the plaintiff for valid and proper consideration and executed the suit contract of sale in favour of the plaintiff by receiving advance sale consideration of Rs.5,00,000/-; on the date of the suit contract of sale when the defendants and the plaintiff have fixed the time as mentioned in the suit contract of sale to discharge their respective obligations; on 9-9-2018 and 16-12-2018 when the defendants having received Rs.8,00,000/- and Rs.10,00,000/- respectively from the plaintiff have endorsed them on the back of the suit contract of sale on the respective dates; subsequently when the defendants have failed to perform their part of suit contract of sale in spite of readiness and willingness of the plaintiff both oral and otherwise, on 17-8-2019 when the plaintiff got issued registered notice to the defendants calling them to perform their part of suit contract of sale as demanded therein; when the defendants having smelt the contents of the said notice got them returned to the plaintiff; since a few days when the defendants are making attempts to enter into collusive and fictitious documents to alienate the plaintiff schedule land either in whole or in part; when the better counsels and best mediations of the plaintiff

O.S. MADE READY BY

COPYIST

- 39 -

proved futile and at Guntur Mandal, where the plaint schedule land is situated and where the defendants are residing all are within the jurisdiction of this honorable court.

PARTICULARS OF VALUATION:-

This being a suit for specific performance of the suit contract of sale the plaintiff value his claim on the face of the suit contract of sale at Rs.25,00,000/-; on which a court fee of Rs.27,426/- is paid under sec.39 of A.P.C.F and S.V.Act, 1955.

OR IN THE ALTERNATIVE

For recovery of an amount of Rs.23,00,000/- towards refund of the advance sale consideration together with interest @ 24% p.a., from the date of suit, till the realization of the amount.

As both the reliefs are alternative reliefs, court fee is paid on the highest valued relief i.e., specific performance of contract of sale i.e., Rs.27,426/-.

Value of the suit for the purpose of jurisdiction is same as above.

This suit came before me for final hearing and disposal in the presence of Sri. S. Srinivasa Raddy, Learned counsel for plaintiff, and defendants having remained ex parte, and upon hearing the arguments of both sides, and upon perusing the material papers on record, and having stood over for consideration till this day, this Court doth order and decree follows :

- 1) That the suit be and the same is hereby decreed directing the plaintiff to deposit Rs.2,00,000/- (Rupees two lakhs only) which is remaining sale consideration within three (3) months in the court under intimation to defendants;
- 2) That from the date of such deposit, the defendants are directed to execute regular registered sale deed in favour of plaintiff for the suit schedule property, failing which the plaintiff is at liberty to obtain regular registered sale deed through process of law;
- 2) That the defendants also do pay a sum of Rs. 60,987/- to the plaintiff towards costs of the suit and do bear their own costs of Rs.Nil (cm&fc not filed by defendants).

Plaint schedule is herewith attached.

Given under my hand and the seal of the court this 11th day of February, 2020.

I Addl. Senior Civil Judge,
Guntur.

TABLE OF COSTS

	For Plaintiff.	For Defendants
Vakala:	2-00	cm&fc not filed
Stamps on plaint	27426-00	
Process	126-00	
Advocate fee	25,000-00	
Junior Advocate fee	8333-00	
Type & writing charges	100-00	
TOTAL	60,987-00	NIL

C.C. MADE READY BY

ADVIST

I A.S.C.J.,

- 40 -

IN THE COURT OF THE SENIOR CIVIL JUDGE, GUNTUR

O.S.NO. 187 /2019

Between:

Nune Hari Babu

... PLAINTIFF

AND

1) Yalavarthi Krishna Veni

2) Yalavarthi Tejaswi

... DEFENDANTS

PLAINT SCHEDULE FILED ON BEHALF OF THE PLAINTIFF

An extent of Ac.0.66 cents which is Northern portion out of Ac.1.98 cents which is Western portion out of Ac.3.98 cents in D.No. 998/C [Ac.1.32 cents]; D.No. 998/D [Ac.1.33 cents] and 998/E [Ac.1.33 cents] of Guntur within the limits of Guntur Municipal Corporation, Guntur Sub District, Guntur District within the following boundaries:-

East : Land of Pulidikurthi Narasamma

South: Land of Yalavarthi Prabhakara Sarma

West : Land of Akkenapragada Venkata
Narasimha Rao

North: Vejendla Donka


Advocate for the Plaintiff


PLAINTIFF

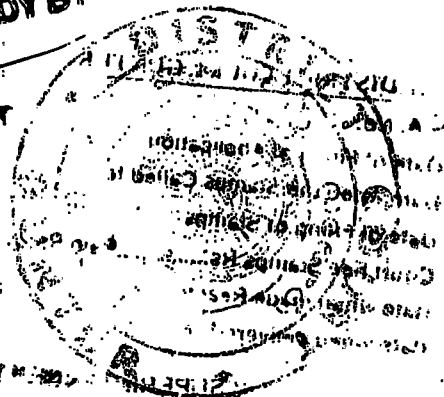
I, do hereby declare and state that the facts stated above are true and correct to the best of my knowledge, belief and information.

PLACE: GUNTUR
DATE: 17-10-2019.


PLAINTIFF

C.C. MADE READY BY

CLERK



- 41 -

Attached to decree.

[Signature]
IASc5



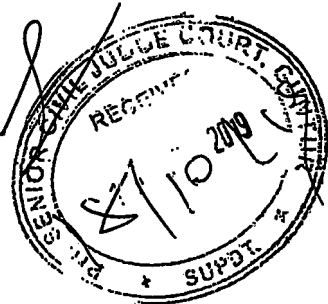
(SEAL OF THE DISTRICT COURT)

[Signature]
JUDGE

C.G. MADE READY BY

[Signature]
JUDGE

S.S. Reddy
2356/2020
OS 187/19
reference
- 8 -

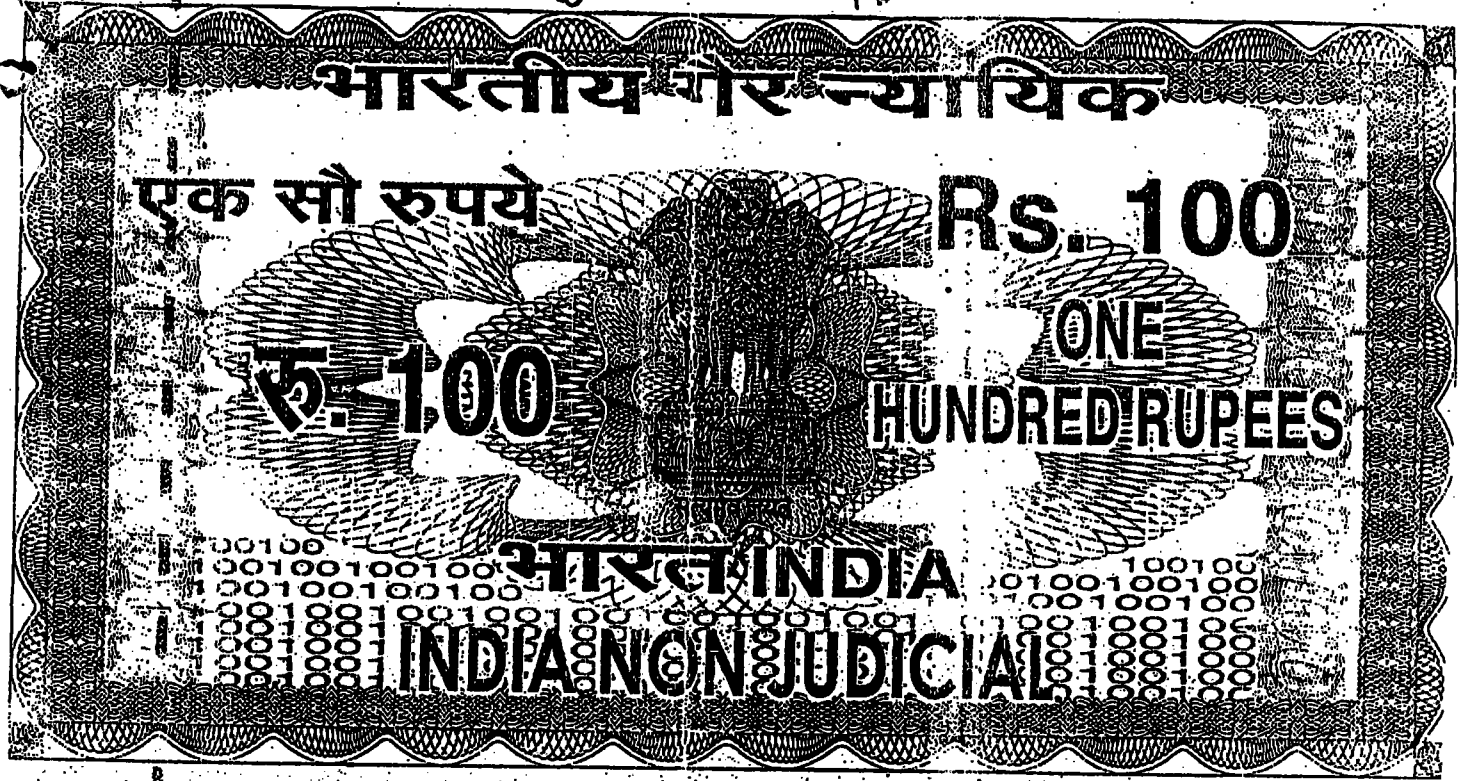


DISTRICT COURT, GUNTUR

C.A. No. 2356
Date of Filing of Application 12-2-2020
Date when the Stamps Called for 25-6-2020
Date of Filing of Stamps 18-8-2020
Court Fee Stamps Rs. 8 Paid Rs. 16
Date when made Ready 19-8-2020
Date when delivered 25-8-2020

[Signature]
SUPERINTENDENT

19/8/2020



ఆంధ్రప్రదేశ్ ఆంధ్ర ప్రదేశ్ ANDHRA PRADESH

CE 555644

No. 2000 Date 2/6/2018 Rs. 100/-

KATURI KOTESWARA
Licensed Stamp Vender
L.No. 07-21-01/2013
D.No. 31-260/A, CHILAKALU
Cell : 7893372313

నూనె పొడిబాటు 3/0 రామకోటయ్య నరగాన
నూనె పొడిబాటు

విక్రయ బయోనా అగ్రిమెంటు

అన 2018వ సంవత్సరము, జూన్ నెల 02 వ తేదీన -

వ్రాయించుకున్నవారు : గుంటూరు జిల్లా, పెదనరసింహపురం మండలం, వరగాని గ్రామం, పోలీస్ స్టేషన్ గుడి దగ్గర, డోరు.నెం.143-3ఎ రు, కాపురస్తులు, నూనె రామకోటయ్య గారి కుమారుడు నూనె పొడిబాటు గారు.

వ్రాయించి యిచ్చినవారు : గుంటూరు సీటి, ఇక్బాల్ మసీదు రోడ్డు, లాల్ బాట, డోరు.నెం.78-3-256/1 రు, కాపురస్తులు, లేటు. యలవర్తి విజయ సారథి గారి భార్య యలవర్తి కృష్ణ వేడి , వీరి కుమార్తె 2) యలవర్తి తేజస్వి గార్లు కలిసి వ్రాయించి యిచ్చిన స్థిరాస్తి భాళి నివేశన స్థలమునకు విక్రయ బయోనా అగ్రిమెంటు -

యీ దిగువ షెడ్యూలు దాఖలా అస్తి అనగా - మూలో నెం. 1 రువారికి భర్త గారైన విజయ సారథి గారికి శాత గారున్నా. నెం. 2 రువారికి ముత్తాత గారున్నా అయిన యలవర్తి శాస్త్రులు గారి తండ్రి గారైన యలవర్తి కుటుంబా చార్లు గారు , పులిడికుట్ట తిరువతి వెంకటేశ్వర్లు గారి భార్య నరసమ్మ కు ది.26.06.1914 నం||తేదీన ఒక దాఖలు దస్తావేజున వ్రాయించి యిచ్చి శ్రీ.గుంటూరు జిల్లా రిజిస్ట్రార్ వారి

1. Galavutthi Krishni

2. Galavutthi Tejaswi

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ఈ డ్రైమింగ్ బిల్లు ఈ రీతిలో ఉంది



ది. 9-9-2018 నాన మొదట రు. 3,00,000 = 00

(డ్రైమింగ్ బిల్లుల అడ్వెన్స్ లు ఇచ్చినందుకు) ఇచ్చినది

గాన మొదట ముద్దానది.

ఇందుకు ఇచ్చినది :-

1. వడ్డీగి నోరెత్తినది

2. P. అండ్ సోన్

కమిషన్ :-

P. V. Subbarao.

1. Yalavarthi Krishan

2. Yalavarthi Tejaswini

ఈ డ్రైమింగ్ బిల్లు ఈ రీతిలో ఉంది ది. 16-12-2018

నాన మొదట రు. 10,00,000 = 00 (డ్రైమింగ్ బిల్లుల అడ్వెన్స్ లు ఇచ్చినందుకు) ఇచ్చినది

గాన మొదట ముద్దానది.

ఇందుకు ఇచ్చినది :-

1. A. pure Chabakam.

2. వడ్డీగి నోరెత్తినది

కమిషన్ :-

P. V. Subbarao.

(TADI KONDA VENKATA SUBBARAO)

1. Yalavarthi Krishan

2. Yalavarthi Tejaswini

ఆఫీసులో 1వ పుస్తకం, ద.నెం. 2415/1914 రుగా రిజిష్టరు కాబడిన దఖలు దస్తావేజు రీత్యా సదరు నరసమ్మ గారు జీవించియున్నంత కాలము వరకు దాన విక్రయాధికార హక్కులు లేకుండా అందు వచ్చు అయివేజును మాత్రమే అనుభవించే విధముగా షరతు లోబడి, సదరు పులిడికుర్తు నరసమ్మ గారు స్వర్గస్తులైరి. వారి తదనంతరము పాత గుంటూరు, ఏకాంబరేశ్వర స్వామి వారి కళ్యాణ మహోత్సవమునకు గుంటూరు గ్రామ డి.నెం. 998/సి, 998/డి, 998/ఇ ర్లు మింజుమలె య.3-98 సెంట్ల భూమిలో తూర్పు వైపున య.2-00 సెంట్ల భూమి చెందే విధముగా ఉదహరించియుంటిరి.

సదరు విధముగా గుంటూరు గ్రామ డి.నెం.998/సి, 998/డి, 998/ఇ ర్లు మింజుమలె య.3-98 సెంట్ల భూమిలో తూర్పు వైపు య.2.00 సెంట్ల భూమి విడినూ మిగిలిన పడమర వైపు య.1-98 సెంట్ల భూమిని సదరు యలవర్తి కుటుంబా చార్యులు స్వాధీనపర్చుకొని సర్వ హక్కులతో అనుభవించుచున్నటువంటి ఆస్తిని గురించి వారి జీవితకాలములో ఎవ్వరికి ఏవిధమైన లిఖిత రూపకమైన ఏర్పాట్లు చేయకుండగనే స్వర్గస్తులైరి. వారి తదనంతరము వారి భార్య కూడా స్వర్గస్తులైరి వారి యిరువురి తదనంతరము సదరు యలవర్తి కుటుంబా చార్యులు గారి ఏకైక సంతానము అయిన యలవర్తి శాస్త్రులు సదరు భూమిని స్వాధీనపర్చుకొని సర్వ హక్కులతో అనుభవించుచున్నటువంటి ఆస్తిని గురించి వారి జీవితకాలములో ఎవ్వరికి ఏవిధమైన లిఖిత రూపకమైన ఏర్పాట్లు చేయకుండగనే స్వర్గస్తులైరి. వారికి భార్య అయిన యలవర్తి లక్ష్మమ్మ గారు కూడా స్వర్గస్తులైరి. వారి యిరువురి తదనంతరము యలవర్తి సుబ్రహ్మణ్య భాస్కర చార్యులు, వీరి కుమారులున్నూ మరియు యలవర్తి ప్రభాకర శర్మ వీరి కుమారులున్నూ మరియు యలవర్తి రామలింగేశ్వర శర్మ గార్లు కలిసి వారల తాతాకు జాయింట్లు కుటుంబ ఆస్తులను గురించి ది. 31.10.1962 సం॥తేదీన ఒక పార్టీషన్ దస్తావేజును వ్రాసుకొని శ్రీ గుంటూరు జిల్లా రిజిస్ట్రార్ వారి ఆఫీసులో 1వ పుస్తకం, ద.నెం. 4734/1962 రుగా రిజిష్టరు చేసుకున్న పార్టీషన్ దస్తావేజు రీత్యా సదరు యలవర్తి రామలింగేశ్వర శర్మ గారి వాటాకు రాబడిన సి - షెడ్యూలు దాఖలా ఆస్తులను వారు స్వాధీనపర్చుకొని సర్వ సంపూర్ణ స్వాధీన హక్కు భుక్తములతో అనుభవించుచున్నంతలో సదరు ఆస్తిని గురించి ది.10.06.2008 సం॥తేదీన ఒక అన్ రిజిస్టర్డ్ వీలునామాను వ్రాయించి, సదరు ఈ వీలునామానే చివరి వీలునామాగా యెంచి, సదరు వీలునామాను యెట్టి రద్దు మార్పు చేయకుండగనే ఇంటస్టేట్గా ది. 29.9.2013 సం॥తేదీన స్వర్గస్తులైరి. వారి మరణానంతరము సదరు వీలునామా పై అంశముల ప్రకారం మాలో నెం. 1 రువారికి భర్త గారున్నూ నెం. 2 రువారికి భండ్రీగారున్నూ, అయిన యలవర్తి విజయసారధి గారు స్వాధీనపర్చుకొని సర్వ సంపూర్ణ స్వాధీన హక్కు భుక్తములతో అనుభవించుచున్నటువంటి ఆస్తిని గురించి వారి జీవిత కాలములో ఎవ్వరికి ఏవిధమైన లిఖిత రూపకమైన ఏర్పాట్లు చేయకుండగనే ఇంటస్టేట్గా ది. 18.9.2014 సం॥తేదీన స్వర్గస్తులైరి. వారి మరణానంతరము వారికి వారసులైనట్టి మాకు మాత్రమే సంక్రమించినట్టి ఆస్తులలో 3వ అయిటం అయిన గుంటూరు గ్రామ డి.నెం. 998/సి, 998/డి, 998/ఇ ర్లు మింజుమలె య.1-98 సెంట్ల భూమిలో ఉత్తరపు దరి య.0-66 సెంట్ల భూమిని మేము స్వాధీనపర్చుకొని సర్వ సంపూర్ణ స్వాధీన హక్కు భుక్తములతో అనుభవించుచు న్నటువంటి యీ దిగువ షెడ్యూలు దాఖలా ఆస్తిని మా కుటుంబ ఖర్చుల నిమిత్తము మాకు పైకము కావలసి వట్టి నేను విక్రయింప బహిరంగ పరచగా నేటి కాలోచిత ధరల ప్రకారం మీరు కొనుగోలు చేయుటకు సిద్ధపడి మీరు కావలయునని కోరినందున

1. Yalavathi Krishnak
2. Yalavathi Thesani

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అందులకు మేము సమ్మతించి షెడ్యూలాన్ని మీరు మేము జల్కాంట్లాక్కుగా రు.25,00,000/-లకు అక్షరాలా ఇరువది ఐదు లక్షల రూపాయలకు విక్రయించుటకు ఖరారుపడి ఈ విక్రయ బయానా అగ్రిమెంటు పూర్తి చేయు కాలమందు యీ దిగువ సాక్షి సంతకములు చేసిన సాక్షుల సమక్షములో మీరు మాకు బయానాగా ది.02.06.2018 సం॥తేదిన రూ. 5,00,001/-లు అక్షరాలా ఐదు లక్షల రూపాయలను రాఖముగా ఇచ్చినందున మీ వలన మాకు అడ్వాన్సు విక్రయ ప్రతిఫలము క్రింద ముట్టినది.

శేషించిన విక్రయ ప్రతిఫలమును ఈ తేదీ లగాయతు ఆరు మాసముల లోగా మీరు మాకు చెల్లించి, మీ పేర గాని, మీరు కోరినవారి పేరగాని, క్రయదారుని స్వంత ఖర్చులతో క్రమమైన స్థాంపులపై విక్రయ దస్తావేజులను వ్రాయించుకొనే యెడల మీరు కోరిన విధముగా మేము రజిష్టరు చేయగలము.

సదరు గడువులోగా షెడ్యూలాన్నిని మేము కొంత కొలిపించి తేలిక విస్తీర్ణమునకు పై రేటు ప్రకారం ధర లెక్కకట్టి ఆ రోజు వరకు మీ నుండి మేము పొందిన పైకమును మినహాయించి మిగిలిన పైకము మీ నుండి మేము పొంది మీ పేరటికి గాని, మీరు కోరిన వారి పేరటికిగాని, మీరు కోరిన విధముగా మేము రజిష్టరు చేయగలము.

షెడ్యూలానికి సంబంధించిన ఒరిజినల్ దస్తావేజులు, లింకు దస్తావేజులు, ఇ.సి. లు మరియు యావత్తు లికార్డును రజిష్టరు రోజున మీకు మేము యివ్వగలము.

షెడ్యూలాన్నిని లోగా మేము ఎవ్వరికి ఏ విధమైన అన్యాయాంతములు జరిపించి యుండలేదు. షెడ్యూలాన్ని ఎలాంటి అసైన్మెంట్ ఆస్తి కాదు.

యిందును గురించి భవిష్యత్తులో ఎవరి వలన యెట్టి దావా తగాదా పేచీలు వచ్చిననూ అది అన్నియూ మా స్వంత ఖర్చులతో పరిష్కరించి యీ విక్రయ బయానా అగ్రిమెంటును మీ క్రింద మేము నిరాటంకముగా చెలామణి చేయగలము.

ఇది మా సమ్మతిన వ్రాయించి యిచ్చిన స్థిరాస్తి భాళి నివేళన స్థలమునకు విక్రయ బయానా అగ్రిమెంటు -

షెడ్యూల్:

గుంటూరు డి॥ గుంటూరు నబ్ డి॥ గుంటూరు మన్యువల్ కార్పొరేషన్ ఏరియాలో చేరిన గుంటూరు గ్రామ డి.నెం.998/నీ రు. య.1-32 సెంట్లున్నూ, డి.నెం.998/డి రు. య.1-33 సెంట్లున్నూ, డి.నెం. 998/ఇ రు. య.1-33 సెంట్లున్నూ వెరశి పై నెంబర్లు ఏక ఖండము బాపతు య.3-98 సెంట్లు భూమిలో పడమర దరి య.1-98 సెంట్లు భూమిలో ఉత్తరపు దరి య.0-66 సెంట్లు భూమికి హద్దులు.

తూర్పు	-	పులిడికుర్తి నరసమ్మ గారి భూమి హద్దు
దక్షిణపు	-	యలివర్తి ప్రభాకరశర్మ గారి భూమి హద్దు
పడమర	-	అక్కెనప్రగడ వెంకట నరసింహారావు గారి భూమి హద్దు
ఉత్తరం	-	వేణెండ్ల డొంక హద్దు

యీ హద్దుల మధ్య య.0-66 సెంట్లు భూమి మాత్రం.

ఇందుకు సాక్షులు:

1. అడవాల దానయ్య

1. Yalavathi Krishnak

2. పడిగి నాగిరాజు వంశి

2. Yalavathi Telakani

S/o Seshiah
A/c 60
R/o Varagani village
Pudla Nandipadu Mandal
Chintalapudi

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// TRUE TRANSLATION //

ADVANCE SALE AGREEMENT

The 2nd day of June, 2018.

Claimants : Nune Hari Babu, S/o.Rama Kotaiah, R/o.D.No.143-3A, Poleramma Temple Centre, Varagani Village, Pedanandipadu Mandal, Guntur District.

Executants : (1) Yalavarthi Krishnaveni, W/o.late Vijaya Saradhi, (2) Yalavarthi Tejaswi, D/o.late Vijaya Saradhi, both are R/o.D.No.78-3-256/1, Lalapet, Iqbal Masjid Road, Guntur City.

Whereas, grandfather of Vijaya Saradhi, who is husband of No.1 of us and great grandfather of No.2 of us by name Yalavarthi Kutumbacharyulu, who is the father of Yalavarthi Sastrulu had executed a gift deed in favour of Pulidikurthi Narasamma, W/o.Tirupathi Venkateswarlu which was registered before the District Registrar, Guntur in Book No.1 vide document bearing No.2415/1914, dated 26-06-1914 by giving only enjoyment rights during her lifetime, without saleable and other rights. Then after, the said Pulidikurthi Narasamma was expired. After her demise, as per the gift deed, the eastern side extent of Ac.2-00 cents out of Ac.3-98 cents in D.No.998/C, 998/D, 998/E of Guntur Village shall be utilized for Marriage Rituals of Ekambareswara Swamy, Old Guntur.

Thereby, the said Yalavarthi Kutumbacharyulu had been in peaceful possession and enjoyment of the remaining Ac.1-98 cents in D.No.998/C, 998/D, 998/E of Guntur Village with absolute rights and died intestate without executing any testimonies. After his demise, his wife also expired. After their demise, their only son by name Yalavarthi Satrulu inherited the property and enjoyed the same and died intestate. Later, his wife Lakshmmamma was also expired. After their demise, Yalavarthi Subramanya Bhaskaracharyulu and his sons, Yalavarthi Prabhakara Sarma and his sons and Yalavarthi Rama Lingeswara Sarma entered into a Partition Deed bearing No.4734 / 1962, dated 31-10-1962 which was registered before the District Registrar Office, Guntur in Book No.1 in respect of their joint family properties. As per the registered Partition Deed, Yalavarthi Rama Lingeswara Sarma got the C-schedule property towards his share and had been in peaceful possession and enjoyment of the same. Later, the said Yalavarthi Rama Lingeswara Sarma executed an

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unregistered WILL on 10-06-2008 and died intestate on 29-09-2013 without modifying or canceling the said WILL. After his demise, the contents of the WILL came into force and husband of No.1 of us and father of No.2 of us i.e., Yalavarthi Vijaya Saradhi became the absolute owner of schedule property and had been in peaceful possession and enjoyment of the same. Later, he died intestate on 18-09-2014 without executing any testimonies. As such, we have inherited the schedule property i.e., northern side Ac.0-66 cents out of western side Ac.1-98 cents in Survey No.998-C, 998-D, 998-E of Old Guntur as C-schedule property of the WILL.

When we offered to sell the schedule property to meet out our necessities, you came forward to purchase the property as per the prevailing market value, for which, we have agreed and sold out the property to you for a bill contract of Rs.25,00,000/- (Rupees twenty five lakhs only). Accordingly, on the date of execution of this Sale Agreement, i.e., on 02-06-2018 you have paid an amount of Rs.5,00,001/- (Five Lakhs And One Rupee Only) to us by way of cash towards advance sale consideration. The same was received by us in the presence of attestors.

You shall pay the balance sale consideration within six months from this date and obtain a regular registered sale deed either in favour of you or your nominee name on your own expenses at valid stamp papers.

In the meanwhile, we will measure the schedule property before the stipulated time and receive the balance sale consideration at the rate fixed above by deducting the amounts by you by that time and register the schedule property either in favour of you or your nominee name.

We will handover the original documents, link documents, E.C. and other relevant records pertaining to the schedule property to you on the date of registration.

We have not hypothecated the schedule property to anybody ever before. The schedule property is not assigned land.

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If any disputes arise over the schedule property through anybody in future, we will resolve all such issues with our own expenses and confirm this Sale Agreement in favour of you.

This Advance Sale Agreement in respect of the schedule mentioned vacant site is being executed with our own consent.

SCHEDULE

Guntur District, Guntur Sub-District, Guntur Municipal Corporation Area, Guntur Village, an extent of Ac.1-32 cents in Survey No.998-C, an extent of Ac.1-33 cents in Survey No.998-D, an extent of Ac.1-33 cents in Survey No.998-E i.e., contiguous plot of Ac.3-98 cents, out of which, western side Ac.1-98 cents, out of which, northern side Ac.0-66 cents of land is being bounded by

East : Property belongs to Pulidikurthi Narasamma
South : Property belongs to Yalavarthi Prabhakara Sarma
West : Property belongs to Akkenapragada Venkata Narasimha Rao
North : Vejendla Donka

Within these boundaries an extent of Ac.0-66 cents of land only.

Sd/- (Y. KRISHNAVENI)
Sd/- (Y. TEJASWI)

Witnesses:

1. Sd/- (Adapala Danaiah)
2. Sd/- (Vadigineni Raghavaiah)

వీలునామా

ఆన 2008 వ సంవత్సరము, జూన్ నెల 10 వ తేదీన -

గుంటూరు సిటీ, రైలుపేట, డోరు.నెం.9-4-18, 6, కొప్పులపల్లి, యలవర్తి శాస్త్రులు గారి కుమారుడు యలవర్తి రామలింగేశ్వరశర్మ అను నేను మంచి వ్యక్తతను, స్వబుద్ధితను, దృఢ చిత్తముతోనూ, మనస్ఫూర్తిగా చెప్పి వ్రాయించిన వీలునామా -

నాకు యిప్పటికి మమారు 7వ సం॥లు వయస్సు కలదు. నాకు అన్నపూర్ణమ్మ అను అమ్మతో వివాహము జరిగియున్నది. మా దాంపత్య జీవితములో మాకు యలవర్తి విజయసారథి అను ఏకైక పురుష సంతతియున్నా, యలవర్తి లక్ష్మీ సరయు, యలవర్తి సుహాసినీ అను యిరువురు స్త్రీ సంతతియున్నా, జన్మించియుంటిరి. నా సంతతిలో నా పురుష సంతతికి మాత్రమే వివాహము జరిగియున్నది. నా స్త్రీ సంతతికి వివాహము జరిగియుండలేదు.

నేను వయస్సును బట్టి పెద్ద వాడను అయినందునయున్నా, నేను అనారోగ్యముతో బాధపడుచున్నందునయున్నా, "జాతన్య మరణం దృవం" అను అర్థోక్తినినునరించి ఎప్పుడు ఏమి జరుగునోనని భీతి నాకు కలిగి నేను జీవించి వుండగనే నా తాతాకు స్థిరాస్థులను గురించి తగు ఏర్పాటు చేయుట యుక్తమని నేను భావించి, నేను మంచి వ్యక్తతను, స్వబుద్ధితను, దృఢ చిత్తముతోను, ఎవరి ప్రార్థలము లేకుండా స్వయముగా చెప్పి యీ వీలునామాను వ్రాయించుకొన్నాను.

యీ దిగువ షెడ్యూలు దాఖలా అస్తులు అనగా : నేనున్నా, యలవర్తి సుబ్రహ్మణ్య భాస్కరాచార్యులు గారున్నా, వీరి కుమారులున్నా, యలవర్తి ప్రభాకర శర్మ గారున్నా, వీరి కుమారులున్నా, కలసి మా తాతాకు జూయింటు కుటుంబ అస్తులను గురించి ది.31.10.1932 సం॥తేదీన ఒక పార్టీషన్ దస్తావేజును వ్రాసుకొని శ్రీ గుంటూరు జిల్లా రిజిస్ట్రార్ వారి ఆఫీసులో 1వ పుస్తకం. 737వ నాల్యూం, 135 టు 141 వ పుటలలో, ద.నెం. 4734/1962 ముగ రిజిస్టరు చేసుకున్న పార్టీషన్ దస్తావేజు రిజిస్ట్రా నా వాటాకు రాబడిన సి- షెడ్యూలు దాఖలా అస్తులను నేను స్వాధీనపర్చుకొని నర్స హక్కులతో స్వాధీన హక్కు భుక్తములతో అనుభవించుచున్నట్లువంటి యీ దిగువ షెడ్యూలు దాఖలా అస్తిని నా జీవితాంతరము నా కుమారుడైన యలవర్తి విజయసారథి స్వాధీనపర్చుకొని దాన విక్రయాధికార నమస్త సంపూర్ణ హక్కులతో అచంద్రార్యస్థాయిగా సుఖాన స్వేచ్ఛగా అనుభవించవలసినది.

యీ వీలునామాలోని అంశములు నా జీవితాంతరము మాత్రమే అమలులోనికి రావలయును.

యీ వీలునామాను నా జీవిత కాలములో మాట్లు చేసుకొనుటకున్నా, రద్దు వరచుకొనెడి అధికారములు నా యందే వుంచుకొనకమైనది.

యీ వీలునామాను నేను చదువుకున్నాను. నేను చెప్పినట్లే వ్రాయబడినదని గ్రహించిన మీదట యిందు వెంట సంతకములు చేయడమైనది.

ఇది నా సమ్మతిన మంచి వ్యక్తతతో, స్వబుద్ధితో, దృఢ చిత్తముతో, ఎవరి ప్రార్థలము లేకుండా మనః స్ఫూర్తిగా చెప్పి వ్రాయించిన వీలునామా -

షెడ్యూలు

నా జీవితాంతరము నా కుమారుడైన యలవర్తి విజయసారథి స్వాధీనపర్చుకొని దాన విక్రయాధికార నమస్త సంపూర్ణ హక్కులతో అచంద్రార్యస్థాయిగా సుఖాన స్వేచ్ఛగా అనుభవించవలసిన అస్తుల వివరం : 1వ అయిటం :

గుంటూరు డి॥ గుంటూరు సబ్ డి॥ గుంటూరు మున్సిపల్ కార్పొరేషన్ ఏరియాలో చేరిన గుంటూరు సిటీ, రైలుపేట (రసూల్పేట) లోకాలిటికి చెందిన మున్సిపల్ పాత వార్డు నెం. 4 రు, కొత్త వార్డు నెం. 11 రు, బ్లాకు నెం. 3 రు, టి.యస్.నెం.200 రు, చ.అ.53/8 లు మింజుమలె పాత మున్సిపల్ డోరు నెం.9-4-9, 9-4-9ఎ, 9-4-9సి ర్దు ప్రస్తుతం డోరు.నెం.9-4-18. 9-4-19 ర్దు, మున్సిపల్ అసిస్టెంట్ నెం. :4496, 14497 ర్దు గల " సూర్యతేజ రెసిడెన్సీ " అస్తికి హద్దులు.

తూర్పు : మున్సిపల్ కార్పొరేషన్ రోడ్డు హద్దు అ.63 లు

దక్షిణం : బందరు చిక్రాలు గారి అస్తి హద్దు అ.36 లు

పడమర : చిక్కబ్రాహ్మణ ధర్మనత్రం అస్తి కొంత, ధనేకుల రత్తమ్మ గారి అస్తి కొంత హద్దు అ.63లు

ఉత్తరం : మున్సిపల్ కార్పొరేషన్ రోడ్డు హద్దు అ.34.1/2 లు

Y. Ramalingaiah

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యీ హద్దుల మధ్య గల చ.గ.246.61 లు లేక చ.మీ.206.20 ల ప్లలములో అనిర్దిష్టపు అవిభాజ్యపు భాగపు చ.గ.40లు లేక చ.మీ. 33.44 రు ప్లల భాగమున్ను, నదరు ప్లల భాగమునకు గాను ఫస్ట్ ప్లాంలోని తూర్పు - ఉత్తరం మూలన గల ప్లాటుకు హద్దులు.

తూర్పు : కామన్ కారిడార్ హద్దు
దక్షిణం : ఈ ప్లాటుకున్నూ, నెం. 1 రు ప్లాటుకున్నూ, మధ్య గల జాయింటు గోడ హద్దు
వడమర : విశ్వబ్రహ్మణ ధర్మనాత్రం అన్తి కొంత, ధనేకుల రత్తమమ్మ గారి అన్తి హద్దు
ఉత్తరం : కామన్ మెట్టు, కామన్ కారిడార్ హద్దు

యీ హద్దుల మధ్య గల చ.అ. 690 లు (కామన్ ఏరియాతో కలిపి) విస్తీర్ణము గా గల " సూర్యతేజ రెసిడెన్సీ " అపార్ట్మెంట్స్ నందలి ఫస్ట్ ప్లాంలోని తూర్పు - ఉత్తర మూలన గల ప్లాటుకున్నూ, నదరు ప్లాటుకు గల సంబంధించిన యావద్విశిష్ట అన్తిన్నీ, నదరాన్తికి సంబంధించిన యావత్తు కామన్ మరియు జాయింటు హక్కులున్నూ, ఈజ్మెంట్ హక్కులున్నూ, సౌకర్యములున్నూ, సహా.

2వ అయిటం :

గుంటూరు డి॥ గుంటూరు నబ్॥ డి॥ గుంటూరు మున్సిపల్ కార్పొరేషన్ ఏరియాలో చేరిన గుంటూరు గ్రామ డి.నెం. 989/1 రు య.5-02 శెంట్ల మింజుమలై తూర్పు వైపున య.0-50 శెంట్ల భూమికి హద్దులు.

తూర్పు : రామన్న భూమి హద్దు
దక్షిణం : యీ దిగువ 3వ అయిటం అన్తి హద్దు
వడమర : యితరుల భూమి హద్దు
ఉత్తరం : డొంకెన రత్తమ్మ గారి భూమి హద్దు

యీ హద్దుల మధ్య గల య.0-50 శెంట్ల భూమి మాత్రం.

3వ అయిటం :

గుంటూరు డి॥ గుంటూరు నబ్॥ డి॥ గుంటూరు మున్సిపల్ కార్పొరేషన్ ఏరియాలో చేరిన గుంటూరు గ్రామ డి.నెం. 998/ని రు, య.1-32 శెంట్లున్నూ, డి.నెం. 998/డి.రు, య.1-33 శెంట్లున్నూ, డి.నెం. 998/ఇ రు, య.1-33 శెంట్లున్నూ, వెరశి పై నెంబర్డు ఏక ఖండము బావతు య.3-98 శెంట్ల భూమిలో వడమర దరి య.1-98 శెంట్ల భూమిలో ఉత్తరపు దరి య.0-66 శెంట్ల భూమికి హద్దులు.

తూర్పు : పులిడికుర్తి నరసమ్మ గారి భూమి హద్దు
దక్షిణం : నా సోదరుడు యలవర్తి ప్రభాకరార్య గారి భూమి హద్దు
వడమర : అక్కెనప్రగడ వెంకట నరసింహారావు గారి అన్తి హద్దు
ఉత్తరం : వేజెండ్ల డొంక హద్దు

యీ హద్దుల మధ్య గల య.0-66 శెంట్ల భూమి మాత్రం.

వెరశి పై మూడు అయిటములను నా జీవితాంతరము నా కుమారుడైన యలవర్తి విజయసారధి స్వాధీనపర్చుకొని దాన విక్రయాధికార నమస్త నంపూర్ణ హక్కులతో అచంద్రాశ్లాఘిగా సుఖనా స్వేచ్ఛగా అనుభవించవలసినది.

ఇందుకు సాక్షులు :

1. V. Y. S. S. S.

Y. Ramalingeswara Sastry

2. 1 < మ నొ వ క

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// TRUE TRANSLATION //

WILL

The 10th day of June, 2008.

WILL executed by Yalavarthi Rama Lingeswara Sarma, S/o.Sastrulu, R/o.D.No.9-4-18, Railpet, Guntur City with sound mind and free consent and good will.

I am aged about 75 years. I was married with one Annapurnamma. Out of wedlock, we have begotten one son by name Yalavarthi Vijaya Saradhi and two daughters namely Yalavarthi Lakshmi Sarayu and Yalavarthi Suhasini. Only our son was got married, whereas, our daughters were not married.

Being a aged person, I have been suffering from ill health. As per the Hindu Traditional saying, I feel it is impossible to predict our future. So, I intend to make necessary arrangements regarding my properties during my lifetime. As such, I am executing this WILL with sound mind and free consent without any external pressure or force.

Previously, myself, Yalavarthi Subramanya Bhaskaracharyulu and his sons, Yalavarthi Prabhakara Sarma and his sons entered into a Partition Deed bearing No.4734 / 1962, dated 31-10-1962 which was registered before the District Registrar Office, Guntur in Book No.1, Volume No.737, Page No.135-141 in respect of their joint family properties. As per the registered Partition Deed, I got the below mentioned schedule properties towards my share as C-schedule properties and I have been in peaceful possession and enjoyment of the same with absolute rights. My son by name Yalavarthi Vijaya Saradhi is entitled to take possession of the all the schedule mentioned properties after my demise and enjoy the same with absolute rights as per his whims and fancies.

The contents of this WILL shall come into force only after my demise.

I alone retain my right to cancel or modify this WILL during my lifetime.

I have read the WILL. Upon observing that it is written as narrated by me, I have signed the document.

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I have executed this WILL with sound mind and free consent without any external pressure or force.

SCHEDULE

Details of the properties for which my only son by name Yalavarthi Vijaya Saradhi is entitled to take possession after my demise and enjoy with absolute rights as per his whims and fancies

Item No.1

Guntur District, Guntur Sub-District, Guntur Municipal Corporation Area, Guntur City, Railpet (Rasoolpet) Locality, Municipal Old Ward No.4, New Ward No.11, Block No.3, T.S.No.200, out of 5348 Sq feet, "Suryateja Residencies" bearing Old Municipal Door No.9-4-9-, 9-4-9A, 9-4-9-C, present Door No.9-4-18, 9-4-19, Municipal Assessment No.14496, 14497 is being bounded by

East	: Municipal Corporation Road	63 feet
South	: Property belongs to Bandaru Bikshalu	36 feet
West	: Viswa Brahmin Dharma Satram to some extent and Dhanekula Rattamma's land to some extent	63 feet
North	: Municipal Corporation Road	34 ½ feet

Within these boundaries an extent of 246-61 Sq yards or 206-20 Sq meters, out of which, undivided and unspecified extent of 40 Sq yards or 33-44 Sq meters of site along with a Flat in North-east corner in 1st Floor is being bounded by

East	: Common corridor
South	: Joint wall between this Flat and Flat No.1
West	: Viswa Brahmin Dharma Satram to some extent and Dhanekula Rattamma's land to some extent
North	: Common staircase and Common corridor

Within these boundaries an extent of 690 Sq feet (including common area) a Flat in North-east corner in 1st Floor in Suryateja Residencies along with all amenities in the Flat along with common and joint rights and easement rights and facilities etc.,

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Item No.2

Guntur District, Guntur Sub-District, Guntur Municipal Corporation Area, Guntur Village, D.No.989/1, out of Ac.5-02 cents, eastern side Ac.0-50 cents of land is being bounded by

East : Property belongs to Ramanna
South : Item No.3
West : Property belongs to others
North : Property belongs to Donkena Rattamma

Within these boundaries an extent of Ac.0-50 cents of land only.

Item No.3

Guntur District, Guntur Sub-District, Guntur Municipal Corporation Area, Guntur Village, an extent of Ac.1-32 cents in Survey No.998-C, an extent of Ac.1-33 cents in Survey No.998-D, an extent of Ac.1-33 cents in Survey No.998-E i.e., contiguous plot of Ac.3-98 cents, out of which, western side Ac.1-98 cents, out of which, northern side Ac.0-66 cents of land is being bounded by

East : Property belongs to Pulidikurthi Narasamma
South : Property belongs to my brother Yalavarthi Prabhakara Sarma
West : Property belongs to Akkenapragada Venkata Narasimha Rao
North : Vejendla Donka

Within these boundaries an extent of Ac.0-66 cents of land only.

The aforesaid three items shall be taken possession by my son Yalavarthi Vijaya Saradhi after my demise and enjoy the same with absolute rights as per his whims and fancies.

Sd/- (Y. RAMA LINGESWARA SARMA)

Witnesses:

1. Sd/- (Adapala Danaiah)
2. Sd/- (Vadigineni Raghavaiah)

EXP - 54 -

भारतीय गैर न्यायिक

बीस रुपये

रु.20

Rs.20

TWENTY
RUPEES

INDIA

INDIA NON JUDICIAL

ఆంధ్ర ప్రదేశ్ ANDHRA PRADESH

No. 11566 of 14/12/2017 Rs. 80/-

For Whom: Nune Harih Babu So. Rama Kotiah
Varagani

65AA 608480

P. MADHUSUDHANA RAO

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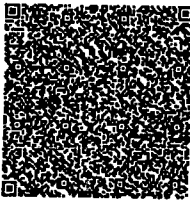
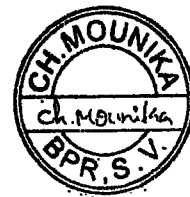
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-57-

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 Certificate Issued Date : 21-Jan-2025 10:06 AM
 Account Reference : NEWIMPAQC (IV)/ ap18189403/ AP-EPT/ AP-BPR/apkikugou
 DDO Code : 27002308001 O/o IG R
 Unique Doc. Reference : SUBIN-APAP1818940304430625101315X
 Purchased by : NUNE HARIBABU
 Description of Document : Article 0 Not Mentioned
 Property Description : S/O:RAMAKOTIAH, GUNTUR
 Consideration Price (Rs.) : 0
 (Zero)
 First Party : NUNE HARIBABU
 Second Party : Not Applicable
 Paid By (For Whom) : NUNE HARIBABU
 Stamp Duty Amount(Rs.) : 20
 (Twenty-only)



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Quarter B255/11

(3) Dms 989/1

ac 5.2 of which
Northern side ac 1.50

of which western side

ac 0.50 (E) Dsch 2nd dit

(E) A sch 2nd dit

(3) 998/c - ac 1.32

998D - ac 1.33

998E - ac 1.33

ac 1.33 (E) Dsch 2nd dit

(4) Dms 989/1 - ac 5.2 of which ac 2.00 (E)

(E) Mocha An - old Kayal

R. Schuduh

(3) Dms 989/1 - ac 5.2 of which Northern side ac 1

(E) Csch 2nd dit (E) A sch 3rd dit

1962

A sch 249000 Gm 1654

Bsch 7000 Gm 568

Csch 7000 Gm 9

11.55 Rs 14000/-

Subrahmanya R.

1. Sathya R.

4. Radhak

2. Buja

5. Pr

6.

7.

8.

9.

Total ac 3.98

of which western

(E) Eka

- 858 -

INDEX II, 1962-66						
Village or place in which property is situated.	Name and description of property.	Date of			Nature and value of transaction.	Execution
(1)	(2)	Ex cu- tion.	Presen- tation.	Regis- tration.	(6)	(7)
1. <u>14/10/62</u>	<u>C. Schedule</u>					
(3)	DNo 998 C	ac 1.32			Total ac 3.98 of which	
	998 D	ac 1.33			(C) Csch 2nd item	
	998 E	ac 1.33				
	<u>C. Schedule</u>					
(3)	DNo 989/1	ac 5.2			of which ac 0.50 (C)	
					(C) Csch 3rd item	
(3)	DNo 998/C	ac 1.32			Total ac 3.98 of which	
	DNo 998/D	ac 1.33			(C) Kuroo R. on	
	DNo 998 E	ac 1.33			Adjacent to land	

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Yalavarti Subramanya Bhatta	S/o Sastulu Jeeva		
nachayulu (B+G)	Reported Gunter		
Sectar amma Sarma	Factor and guardian		
Radha Krishna Sarma (B+H)	abuse Subramanya		
B. K. Jagannayana Rao	Bhaskaracharya		
B. K. Lakshma Sarma (B+G)	S/o Subramanya	Gunter	Ro
	Bhaskaracharya	PS 255/20	Gunter 7371854734
	S/o Sastulu	Gunter	
	Factor and guardian		
	to billot minor		
H. R. Lakshma	Factor and guardian		
Shamun Jayaram (B+H)	abuse B. K. Lakshma		
J. R. Lakshma	Sarma		
Ramalinga Swarna Sarma	S/o Sastulu		

Exp. "Net" 11

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ద.నెం.2415/1914 రు, 68వ వార్షికం, 261 ల 262 పుటలలో

రు.600.00 లు కిమ్మతు గల స్తిరాస్తి దఖల్ దస్తావేజు -

ఆన 1914 సం. డి.26 జూన్ తేదీ -

పాత గుంటూరు కాపురస్తురాలు విశ్వబ్రాహ్మణులు, స్వార్జితం వల్ల జీవనం, పులిదిక్కుర్తి
తిరుపతి వెంకటేశ్వర్లు భార్య నరసమ్మలు -

డిటో కాపురస్తులు విశ్వబ్రాహ్మణులు, అద్దెలు పగయిరాలు, యలవర్తి వీరయ్య
కొమార్లు కుటుంబాచార్యులు వ్రాయించి యిచ్చి దఖల్ దస్తావేజు -

నేను రెండు వివాహములు చేసుకున్నాను. పుత్ర పుత్రికా సంతానం వుండియు
భార్య గతింబ్బిండ్ను నా సంతానం వారికి నాకు కొంన్ని కలహము యేర్పడం వల్ల నా
యొక్క పుపచారము చేయువారు లేనందున నాకు చాలా కష్టముగా వున్నందున నా యొక్క
పుపచారము నిమిత్తం నింన్న రెండు సంవత్సరములు నుంచి నా వద్ద వుంచుకున్నందున
నేటివరకు నా వద్ద వుండి నా యొక్క పుపచారము చక్కగా చేస్తూ వున్నందుననున్నా
ముందు నీ జీవితకాలం వరకు చేస్తావు అనే సంమ్మకం వల్ల షెడ్యూలు దాఖలా రు.600.00
లు కిమ్మతు గల ఆస్తి యీ తేదీ నీ స్వాధీనపరిస్థితి గన్ను యింతట నుంచి యీ ఆస్తి నీ
స్వాధీనములో వుంచుకొని అందువల్ల వచ్చే అయివజు అనుభవిస్తూ, నీ అనంతరం

1-అయిటం నేను ప్రతిష్ఠ చేశ్చి శ్రీ పాత గుంటూరులో యేకాంబరీశ్వర స్వామి వారి కల్యాణ వుత్సవము జర్గేలాగు చెందవలశ్చిది. 2-అయిటం నీ యిష్ట ప్రకారం దానా దమ్మ విక్రయ అరహముగా భుక్తపర్చుకోవలెను. నా జీవిత కాలములో నీవు నా యొక్క వుపచార్ములు చేయడములో యే లోపములు వచ్చినా షెడ్యూలు అస్తి యందు నీకు యేవిధమయ్ని హక్కు లేకుండా వుండడమే గాక నా యిష్ట ప్రకారం జర్చుకోవడమవును. యిందును గురించి నీవు నీ వార్సులు నంన్ను నా వార్సులను యే తగాదాలు చేయకూడదు.

షెడ్యూలు

గుంటూరు నెల్లూరు డిస్ట్రక్టు, గుంటూరు సబ్ డిస్ట్రక్టులో చేర్చి పాత గుంటూరు గ్రామములో వున్నటువంటిన్ని పూర్వం పాతూరి పెద అప్పంన్న, యీ చ్చి అప్పంన్న, కరి వీరంన్న వల్ల నేను స్వార్జితపు సొంమ్ముతో క్రయమును పొంది క్రయ దస్తావేజ్లు దాఖలా నా హక్కు భుక్తములో వున్నటువంటిన్ని, యితర్లకు యే అన్యాయక్రాంతంల్లు చేయనటువంటిన్ని 1టో అయిటం డి.నె.998 సీ-గుర్తు, రు.3.5.0లు శిస్తు గల య.1-32 శెంట్లు, డి-గుర్తు, రు.3.5.0లు శిస్తు గల య.1-33 శెంట్లు, యి-గుర్తు, రు.3.5.0లు శిస్తు గల య.1-33 శెంట్లు, జుమలా రు.9.15.0లు శిస్తు గల య.3-98 శెంట్లు యేకప్రదేశమయ్నిండ్ను తూర్పు వయపు రు.5.0.0లు శిస్తు గల య.2-0 శేరి మెరకకు

హద్దులు -

తూర్పు : యీ నెంబరు బాపతు పాతూరి పెద అప్పంన్న

దక్షిణం : నా తాలూకు శేరి

పడమర : అక్కెనప్రగడ వెంకట సరిశింహ్వరావు శేరి

ఉత్తరం : వేజంళ్ల డొంక

యీ హద్దుల లోగా వుంన్న సదరు శేరి వల్ల వచ్చే అయివజు నీ జీవితకాలం వర్కు అనుభవించి నీ అనంతరం భూమి పాత గుంటూరులో నేను ప్రతిష్ఠ చేశ్చి యేకాంబరేశ్వర స్వామి వారి కల్యాణ వుత్సవముకు వుషరౌగాపడవలశ్చిది.

డిటో గ్రామములో వుంన్న మ్యూనిసిపల్ 2/281 రు, అ.1913 సం. డి.6 ఆగష్టు తేదీ సత్తెనపల్లి సబు రిజిస్ట్రారు వారి ఆఫీసులో 7 ఆగష్టు తేదీ నె.1637రుగా రిజిస్టరి కాబట్టి క్రయ దస్తావేజు దాఖలా నా హక్కు భుక్తములో వుంన్న సదరు మ్యూనిసిపల్ నెంబరు ఖాళి స్తలముకు హద్దులు -

తూర్పు : వుంమ్మడి గల్లి అ.35 అం.4

దక్షిణం : బాపట్ల జగన్నాథం యింటి గోడ అ.29

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పడమర : భీట్రాజు సుబ్బయ్య గారి ఖాళి గోడ అ.31 అం.6

ఉత్తరం : యాయవారం సుబ్బయ్య తాలూకు స్తలం నా గోడ అ.32 అం.5లు

యీ హద్దుల మధ్య వున్న స్తలం దాన విక్రయాధికారములతో అనుభవించవలెను.

యిందుకు సాక్షులు :

యలవర్తి కుటుంబాచార్యులు వ్రాలు

1.పులిపాటి రత్నం వ్రాలు

2.గుడివాడ గోపయ్య వ్రాలు

దస్తూరి : మద్ది శ్రీరామ్లు

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// TRUE TRANSLATION //

GIFT DEED
Document No.2415/1914
Volume No.68, Page No.261-262

Gift Deed in respect of the schedule property worth of Rs.600/-.

The 26th day of June, 1914.

Claimants : Pulidikurthi Narasamma, W/o.Tirupathi Venkateswarlu, Own House, Viswa Brahmin, R/o.Old Guntur.

Executants : Yalavarthi Kutumbacharyulu, S/o.Veeraiah, Tenants, Viswa Brahmin, R/o.Old Guntur.

I have undergone two marriages and I have begotten male and female children. After the demise of my wife, there are some disputes and disturbances between me and my children. As there is no person to look after my welfare, I have been suffering a lot. So, you have been staying with me for the past two years and looking after my welfare. I feel you will serve me with affection in future and gift the schedule property worth of Rs.600/- to you. Henceforth, you are entitled to enjoy the mense profit over the schedule mentioned item No.1 during your lifetime and later, it shall be given for Marital rituals of Sri Ekambareswara Swamy Temple, Old Guntur. You can enjoy the item No.2 with absolute rights. If you fail to serve me, you are not liable to have any right over the schedule properties and I have right to do as per my wish. You or your legal heirs will not cause to my legal heirs.

SCHEDULE

Guntur District, Guntur Sub-District, Old Guntur Village, the property which was purchased by me in the past from Pathuri Peda Appanna, Chinna Appanna, Kari Veeranna with my hard earnings through a sale deed and which is under my possession and enjoyment without any hypothecations is

Item No.1

An extent of Ac.1-32 cents bearing Cist No.3-5-0 in Survey No.998-C, an extent of Ac.1-33 cents bearing Cist No.3-5-0 in Survey No.998-D, an extent of Ac.1-33 cents bearing Cist No.3-5-0 in Survey No.998-E i.e., contiguous plot of

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Ac.3-98 cents bearing Cist No.9-15-0, out of which, eastern side Ac.2-00 cents bearing Cist No.5-0-0 is being bounded by

East : Property belongs to Pathuri Peda Appanna
South : Property belongs to me
West : Property belongs to Akkenapragada Venkata Narasimha Rao
North : Vejendla Donka

Within these boundaries, you are entitled to enjoy the mense profit over the schedule property during your lifetime and later, it shall be given for Marital rituals of Sri Ekambareswara Swamy Temple, Old Guntur.

Item No.2

Old Guntur Village, the property which was purchased by me through a sale deed bearing No.1637/1913 executed on 06-08-1913 and registered on 07-08-1913 and which is under my possession and enjoyment is, a vacant site bearing Municipal Door No.2/181 is being bounded by

East : Joint Gally 35-4 feet
South : Property belongs to Bapatla Jagannadham 29 feet
West : Property belongs to Bhatraju Subbaiah 31-6 feet
North : Property belongs to Yamavaram Subbaiah 32-5 feet

Within these boundaries, the property is being gifted to you with absolute rights.

Sd/- (Y. KUTUMBACHARYULU)

Witnesses:

1. Sd/- (Pulipati Ratnam)
2. Sd/- (Gudivada Gopaiah)

Drafted by: Maddi Sriramulu

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IN THE HIGH COURT OF ANDHRA PRADESH: AMARAVATI

HON'BLE MR. JUSTICE PRASHANT KUMAR MISHRA, CHIEF JUSTICE

&

HON'BLE MR. JUSTICE R. RAGHUNANDAN RAO

WRIT PETITION (PIL) No.70 of 2022

(Through physical mode)

Juluri Hemangada Gupta S/o. Subbarao,
42 years, ghee business, R/o. 16-26-13,
Manurivari street, Old Guntur, Kothapeta,
A.P., and others.

.. Petitioners

Versus

State of Andhra Pradesh,
rep. by its Principal Secretary,
Endowments Department, Secretariat,
Velagapudi, Amaravathi, Guntur District,
Andhra Pradesh, and others.

.. Respondents

ORAL ORDER

Dt: 29.03.2023

(per Prashant Kumar Mishra, CJ)

Heard the learned counsel for the parties and perused the record.

2. This writ petition, in the nature of public interest litigation, has been preferred questioning the action of the Commissioner, Endowments Department, Andhra Pradesh, respondent No.3 herein (wrongly mentioned as respondent No.2 in the prayer), in addressing letter vide Lr.in Rc.No.19022 (35)/6/2021 dated 09.01.2022, to the District Registrar of Assurances, Registration & Stamps Department, Guntur, *inter alia* issuing orders modifying the list of properties entered in the register under Section 43 of the

Andhra Pradesh Charitable and Hindu Religious Institutions & Endowments Act, 1987 (for short, 'the Act of 1987').

3. As can be seen from the impugned communication, it is apparent that respondent No.8 herein submitted a representation to the Endowment authorities for deletion of land in Sy.No.998/C & D, to an extent of Ac.2.00 cents each, situated at Old Guntur Revenue Village, Guntur Town & District, from the list of prohibited properties under Section 22A(1)(c) of the Registration Act, 1908 (for short, 'the Act of 1908'). Pursuant thereto, the Commissioner of Endowments Department, under the impugned communication, issued an erratum in respect of the entry in the list of endowment properties prohibited for registration under Section 22A(1)(c) of the Act of 1908, furnished to the registering officers in Annexure-III, by directing that the wording "*The land in Sy.No.998/B to an extent of Ac.2.00 cents, Sy.No.998/C to an extent of Ac.2.00 cents, Sy.No.998/D to an extent of Ac.2.00 cents and Sy.No.998/E to an extent of Ac.2.00 cents at Old Guntur, Guntur Town & District in the name of Sri Kanchi Kamakshi Ugra Ekambareswara Swamy Devasthanam, Old Guntur*" in the said list shall be read as "*The land in Sy.No.989 to an extent of Ac.2.00 cents at Old Guntur, Guntur Town & District in the name of Sri Kanchi Kamakshi Ugra Ekambareswara Swamy Devasthanam, Old Guntur.*"

4. Initially, a counter-affidavit has been filed by the Commissioner of Endowments on 20.07.2022, justifying the impugned action and contending

that the Commissioner of Endowments is the competent authority to cause deletion/modification of the entries in the list of prohibited properties.

5. During the course of hearing on earlier occasions, this Court has examined the issue concerning the jurisdiction of the Commissioner of Endowments to pass an order which has the effect of deletion of properties from the list of prohibited properties under Section 22A(1)(c) of the Act of 1908, which were included in the said list by virtue of their inclusion in the register of properties belonging to the Endowments maintained under Section 43 of the Act of 1987.

6. By filing an additional counter-affidavit dated 28.03.2023, the Commissioner of Endowments has stated that the communication/order under challenge has been kept in abeyance pending disposal of this writ petition, vide orders in Rc.No.19022(35)/6/2020 dated 20.03.2023, and the registration authorities are requested to continue the lands covered by Sy.No.998/B, C, D & E to an extent of Ac.2.00 cents each at Old Guntur, Guntur, in the prohibitory list maintained under Section 22A(1)(c) of the Act of 1908, till further orders. It is further categorically stated that once an entry is made in the register maintained under Section 43 of the Act of 1987, the remedy available for the aggrieved party is to approach the A.P. Endowments Tribunal, and, therefore, the 8th respondent herein, who is the applicant before the Commissioner for deletion of property in question from the list of prohibited properties maintained under Section 22A(1)(c) of the Act of 1908, has to approach the A.P. Endowments Tribunal, invoking Section 87 read with

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Section 45 of the Act of 1987. The Commissioner has sought permission of this Court to withdraw his earlier affidavit filed on 20.07.2022.

7. Mr. V. Venugopala Rao, learned senior counsel appearing for respondent No.8, by referring to Sections 92 and 93 of the Act of 1987, tried to impress upon this Court that under the said provisions, the Commissioner of Endowments has *suo motu* power to call for records and pass appropriate orders in relation to any order passed under the Act of 1987.

8. However, on a plain reading of the provisions contained in Sections 92 and 93 of the Act of 1987, it is evident that such power is available to the Commissioner only when no suit, appeal or application or reference to a Court is provided under the said Act. Once the entry in the register maintained under Section 43 of the Act of 1987 is open for correction in proceedings under Section 45 read with Section 87 of the Act of 1987, the jurisdiction under Sections 92 and 93 of the Act of 1987 is not available to the Commissioner.

9. In view of this legal position and since admittedly, 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(1)(c) of the Act of 1908, is to approach the Endowments Tribunal under Section 45 read with Section 87 of the Act of 1987, we are of the considered opinion that the impugned communication/order cannot be sustained.

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10. Accordingly, the impugned communication/order dated 09.01.2022 is set aside, leaving it open to respondent No.8 to avail the appropriate remedy as provided under law.

11. With the above, this writ petition (public interest litigation) stands disposed of. No costs. Pending miscellaneous applications, if any, shall stand closed.

PRASHANT KUMAR MISHRA, CJ

R. RAGHUNANDAN RAO, J

IBL

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HON'BLE MR. JUSTICE PRASHANT KUMAR MISHRA, CHIEF JUSTICE

&

HON'BLE MR. JUSTICE R. RAGHUNANDAN RAO

WRIT PETITION (PIL) No.70 of 2022

(per Prashant Kumar Mishra, CJ)

Dt: 29.03.2023

IBL

District - GUNTUR

Taluk - GUNTUR

Survey No. 98

Name GUNTUR

Field No. 998

Area: 11-49 Hectares 4498' Area.

AREAS CHIC. L. ME

M.V. K. Srinivasulu

Senior Draftsman

Settimined.

Inspector, Survey & Land Records,

U.L.C. Guntur

A-1: 0-09 = 264-
A-2: 0-26 = 1052-
A-3: 3-41 = 13800
B-1: 0-50 = 2023-
B-3: 3-34 = 13616-
C-1: 0-89 = 2601-
C-3: 0-34 = 1375-
D: 1-33 = 5282-1
E: 1-33 = 5382-1

4498-0

Certified that the Change in the Village Map in the Surveyed Maps as per U.L.C. 205/79-2 (84) dated 6-7-79 Para (17B) 79/79 997 D. (17B)

998. ci.

proth

Bo. at

Certified that the

be measured as per

ground and mapped

No. 76 of the

Special Officer, Urban Land

Guntur.

(Radhakrishna)

of 16-7-79

998 or U.L.C. Guntur

COMPETENT

SPECIAL

URBAN

that this sketch for

of the village has been

converting the F.P. measure

ment to the Village First Measure

ment.

Certified that the

have

been measured per actual

ground and mapped in respect of U.L.C.

No. 76 of the office of the

Special Officer, Urban Land

Guntur.

B 3.A - Surrenderable Area = 640-59

B-3-B Others' area + Declarant's retainable area of 1494.14 sqm = 12875.91

Total Area of Subdivision B 3 = 13516

Scale.—One Centimeter = (ONE) Chain of 20 Meters.

ఒక సెం. మీటరు = () 20 మీటరు గల గొలుసు

Surveyor U.L.C. Guntur.

**MEMORANDUM OF WRIT PETITION MISC. PETITION
(UNDER SEC. 151 OF THE C.P.C.)**

IN THE HIGH COURT OF ANDHRA PRADESH:: AMARAVATHI

I.A. NO. OF 2025

IN

W.P. NO. OF 2025

Between:

Nune Hari Babu, S/o.Rama Kotaiah,
Aged about 59 years, Occ. Cultivation,
R/o.D.No.143-3A,
Poleramma Temple Centre, Varagani Village,
Pedanandipadu Mandal, Guntur District.

... Petitioner

AND

1. The State of Andhra Pradesh, Rep. by its
Principal Secretary, Endowments Department,
Secretariat Buildings, Velagapudi,
Amaravati, Guntur District.
2. The Commissioner,
Endowment Department, A.P.,
Gollapudi, Vijayawada, Krishna District.
3. The District Endowments Officer,
Guntur, Guntur District.
4. The Endowment Divisional Officer,
Guntur Division, Guntur, Guntur District.
5. The District Registrar,
Guntur, Guntur District.
6. The Joint Sub-Registrar-I,
Guntur, Guntur District.

... Respondents

For the reasons stated in the affidavit filed in support of the above Writ
Petition, Pending disposal of the present writ petition, It is prayed that the Hon'ble
Court may be pleased to direct the 6th respondent to receive, process, register and
release the Sale Deed presented by the petitioner pertaining to Ac.0-66 cents out of
Ac.0-89 cents in Survey No.998-C1 of Old Guntur, Guntur District as procedure

contemplated under Registration Act, 1908 and to pass such other order or orders as this Hon'ble court deems fit and proper in the interest of Justice.

Amaravathi,

Date: 20-02-2025.

Counsel for the Petitioner

CP

GUNTUR :: DISTRICT

IN THE HIGH COURT OF ANDHRA
PRADESH:: AMARAVATHI

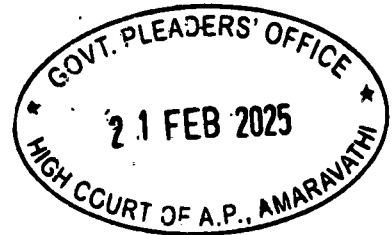
I.A.NO. OF 2025

IN

W.P.NO. OF 2025

RYS
Encls.

DIRECTION PETITION



Friday, Feb 21, 2025 12:51:59 PM

APOLCMS



RAMASWAMY REDDY DAGGUBATI (24761)
Advocate
COUNSEL FOR THE PETITIONER

9908406482