



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

Bench
Sr.No:-
[3579]

WRIT APPEAL NO: 644 of 2026

Sri Palanati Veerula Devasthanam

...Appellant

Vs.

The State of AP and others

...Respondents

Reserved for orders on : 29.06.2026

Pronounced on : 07.08.2026

Whether only operative part of
the judgment is pronounced or
whether full judgment is
pronounced : Full

**CORAM : THE CHIEF JUSTICE LISA GILL
SRI JUSTICE NINALA JAYASURYA**

Present:-

Advocate for Appellant : Mr. V. Venugopala Rao, Senior
Counsel assisted by Mr. Kappera
Koteswara Rao [SC for Endowments,
AP Region]

Advocate(s) for Respondent(s) : GP for Revenue/Registration and
Stamps, Mrs. S. Pranathi [SC for
APCRDA],
Mr. B. Adinarayana Rao, Senior
Counsel assisted by Mr. Javvaji Sarath
Chandra for R.6 & R.7.

LISA GILL, CJ.

Prayer in this appeal is for setting aside order dated 29.01.2026, passed by learned Single Bench, whereby Writ Petition No.17325 of 2025, filed by present appellant/ writ petitioner, was dismissed.

2. Above said writ petition was filed by appellant, writ petitioner, i.e. Sri Palanati Veerula Devasthanam (for short, Devasthanam), claiming to be absolute owner of land in question, i.e. Ac.6.44 cents in Survey No.161, Thulluru Village and Mandal, Guntur District, having been gifted by donors for purpose of performing puja to deity and maintenance of Devasthanam; as recorded in RSR in Column No.14, Patta No.66; it was registered under Board Order No.1990, dated 18.04.1950 under Section 38 of Hindu Religious Act, 1927; subject land was stated to be included in prohibited list under Registration Act, 1908.

3. It was further pleaded that on 12.07.1960, the then manager of Devasthanam, Sri Indurthi Abaddalu, acknowledged that archakas were cultivating Inam lands and rendering hereditary priestly services at Devasthanam. It was noted in the relevant Register that lands were in custody of archakas but "No working inams provided according to Temple Register". It is pleaded that Indurthi Abaddalu, in collusion with others, obtained Form-VIII Pattas, on 12.07.1960, from Inam Tahsildar, though land was admittedly temple property. Devasthanam was duly registered under Andhra Pradesh Charitable and Hindu Religious Institutions and Endowments Act, 1987, (for short, Endowment Act) as per proceedings dated 12.11.1987 and *vide* publication serial No.1375.

4. After bifurcation of erstwhile State of Andhra Pradesh, Government of Andhra Pradesh notified Amaravati to be the capital of State and enacted

Andhra Pradesh Capital Region Development Authority, Act 2014 (for short, APCRDA Act). Government while taking note of difficulties arising for competent authorities to take over the land on account of prolonged litigation, issued G.O.Ms.No.330 on 11.10.2018, sanctioning Land Pooling Scheme Package as a gracious relief to Ryotwari patta holders in capital area and also for payment of compensation to religious institution as per Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013.

5. Archakas gave Form 9.3 for registration of plots in their names. Executive Officer on 20.11.2018 also submitted Form 9.3 giving consent for registration of plots. *Vide* communication dated 20.11.2018 addressed to Special Deputy Collector and Competent Authority, CRDA No.20, Tullur-1, allotment of plots and payment of pending annuity for subject land was requested stating that land belongs to Devasthanam. Special Deputy Collector and Competent Authority, Ananthavaram Village, APCRDA issued proceedings dated 28.01.2025 stating that Form-9.14 has to be issued in favour of Sri Indurthi Narasimha Rao for an extent of Ac.6.44 cents in Survey No.161 of Thullur Village and compensation of Rs.1,63,57,600/- has to be paid to Endowment Department as per G.O.Ms.No.330 dated 11.10.2018. Registrations in favour of Archakas were carried out in or around March, 2025.

6. W.P.No.17325 of 2025 was thus filed by appellant, challenging registration of temple land measuring Ac.6.44 cents as above in favour of

Archakas statedly without notice or endorsement and without following due process of law as provided under Endowment Act. It was prayed that said registrations be cancelled and entries in favour of petitioner Temple be restored in all revenue registration records including RSR, Pattadar Passbooks and Property Register under control of Endowments Department.

7. Learned Single Bench while considering the facts and circumstances did not find any merit in the arguments as raised on behalf of writ petitioner and accordingly dismissed writ petition *vide* impugned order dated 29.01.2026. Aggrieved therefrom, present writ appeal has been filed.

8. Mr. V. Venugopala Rao, learned Senior Counsel for appellant/ writ petitioner, vehemently argued that learned Single Bench has not appreciated the controversy in its correct perspective and has wrongly dismissed writ petition filed by appellant. It was contended that learned Single Bench has erred in observing that appellant was required to challenge G.O.Ms.No.330 dated 11.10.2018 for the reason that this G.O. is in fact not even applicable to appellant and even if it is assumed to be so, writ petitioner has to be treated as patta owner and archakas cannot be treated as owners. Even as per said patta, private respondents are recorded as occupiers. Thus by virtue thereof they cannot become absolute owners, hence entitled to the benefit as has been afforded to them. A patta, wherein a person is shown to be the occupier cannot in any manner create title in favour of said person. It was further submitted that even as per Ryotwari patta dated

12.07.1960, relied upon by private respondents, clearly mentioned name of owner to be deity Palanati Veerula Devasthanam and four priests are only mentioned to be present enjoyers/ occupiers. It is thus prayed that this appeal be allowed impugned order dated 29.01.2026 be set aside and writ petition filed by present appellant be allowed as prayed for.

9. Learned counsel for respondents opposed the appeal while submitting that possession of private respondents/ their predecessors is a matter of record and not denied. Reference was made to entry in Register dated 12.07.1960 which specifically notes that land in question is in possession of priests. Furthermore, G.O.Ms.No.330 dated 11.10.2018 was issued by Government by way of a gracious relief to Ryotwari patta holders in the capital area. This Government Order was never challenged by appellant/ writ petitioner and in fact neither order dated 28.01.2025 is put to challenge specifically as such. Dismissal of writ appeal was sought.

10. We heard learned counsel for parties and have carefully perused the file with their able assistance.

11. At the outset it is to be noted that there is no dispute regarding possession of private respondents/ their predecessors over the land in question since long years and as specifically noted in Ryotwari patta dated 12.07.1960 and entry in register/ registration of the temple in November 1987. Argument raised on behalf of appellant that Form-VIII pattas dated

12.07.1960, were obtained in an unlawful manner from the then Inam Tahsildar, is clearly devoid of any merit especially keeping in view the fact that such patta was never ever put to challenge by appellant.

12. Learned counsel for appellant being cognizant of the fact that possession of private respondents was never challenged by appellant since 1960, which continued till date, then argued that even if long possession is presumed, it cannot lead to said respondents perfecting their title over the land or getting ownership rights.

13. At this stage, it is considered necessary to refer to G.O.Ms.No.330 dated 11.10.2018 and specifically paras 4, 5 and 7 as have been reproduced by learned Single Bench as well, in the impugned order. Said paras read as under:

“4. In this regard, the Commissioner, APCRDA has informed that during the verification of ownership of the disputed lands, the ryoths and their successors interest produced Form-VIII ryotwari pattas issued under Section 7 of Inams Abolition Act, 1956 and registered documents, PPB's and TTDs issued under ROR Act in support of their claim. The Endowment Department is claiming on the ground that these lands are classified as 'Charitable' as per RSR and vests with Charitable Institutions under Section 76 of the AP Charitable and Hindu Religious Institutions & Endowments Act, 1987 and the Government amended AP (Andhra Area) Inams (Abolition and Conversion into Ryotwari) Act 1956 (Act No. 16 of 2013) to the effect that where any person other than concerned Charitable or religious institutions or Endowment obtained a patta for such Inam land after commencement of the AP (Andhra Area) Inams (Abolition and Conversion into Ryotwari) Act, 1956, such

patta shall be deemed and always to have been and void and no effect shall be given to such patta granted. As the ryoths are having possession over the disputed lands for more than 40 years and having pattadar passbooks and title deeds in their favour and as the Endowment Department has not taken any steps to recover the possession, it is now becoming difficult for the Competent Authorities to take the lands and it is leading to prolonged litigation. As the lands are located in different villages and in different survey numbers, difficulty is being faced in laying LPS layouts, providing infrastructure and roads. Hence there is urgent need to solve the issue for maintaining timelines of construction of Capital City.

5. The Commissioner, APCRDA has further informed that in order to settle the issue a proposal has been made before the APCRDA. The Authority has passed a resolution No. 72/2016 in the 6th Authority Meeting held on 20.09.2016 "to pay compensation to Endowment Department as per LA R&R Act, 2013" taking the basic value multiplied by 1.25 factor and by adding 100% solatium and to recommend to the Government to allot returnable plots and other benefits under Land Pooling Scheme to the ryotwari patta holders as gracious relief.

6. xxx

7. After careful examination of the proposal of the Commissioner of APCRDA, Government hereby order for sanctioning of LPS package as a gracious relief to the Ryotwari Patta holders in the Capital area and permit the Acquisition Authority to pay compensation to the Religious Institutions as per LA R&R Act, 2013."

14. As rightly held by learned Single Bench, this G.O.Ms.No.330, was never challenged by appellant. A bare perusal of this Government Order reveals that benefit as extended by Government is by way of gracious relief and in order

to avoid protracted litigation. Learned Single Bench dismissed writ petition filed by appellant/writ petitioner while observing as under:

“12. The above facts would indicate that neither the Unofficial Respondents nor the Official Respondents herein have objected to the factum of the Devastanam being the original owner of the land. When this Court has sifted through various Proceedings, it has been noticed that the Devastanam never had any administrative control as regards the ownership or possession of the extent of Ac.6.44 cents in Survey No.161 of Thullur Village at least for the last 40 years. The recorded evidence would indicate that the Archakas have acquired Ryotwari Pattas in Form-VIII and the same stood record in the Revenue Records, Adangals and also Inam Registers and these facts are not denied by the Writ Petitioner. Though, the Writ Petitioner herein is the owner of Ac.6.44 cents on the strength of the Board Order No.1990 dated 18.04.1950 (Ex.P4), the Petitioner had not objected to the Archakas acquiring the FormVIII (Ryotwari Pattas).

13. The undeniable fact is that the names of the Archakas have been recorded as farmers in the Revenue Records. This apart, G.O.Ms.No.330 Municipal Administration & Urban Development (CRDA.2) Department, (Ex.P.12) was issued way back on 11.10.2018, thereby, making it amply clear to all the interested parties including the Writ Petitioner herein and the Unofficial Respondents herein that the Government has ordered for sanctioning of Land Pooling Scheme package as a gracious relief to the Ryotwari Patta holders in the capital area and permitted the Acquisition Authority to pay compensation to the religious institution namely the Writ Petitioner herein of an amount of Rs.1,63,57,600/- as cost of the land. Despite this, G.O.Ms.No.330 Municipal Administration & Urban Development (CRDA.2) Department, dated 11.10.2018 (Ex.P.12) has been in subsistence since October-2018, whereas, the Writ Petitioner herein has not raised his little finger for challenging the correctness of the said G.O so far.

14. The Writ Petitioner has allowed even the rights which have emanated out of the said G.O to be fructified in favour of the Unofficial Respondents since the year-2018. The present Proceeding which is now being assailed by the Writ Petitioner dated 28.01.2025 bearing Rc.No.9/2024/Endowment (Ex.P.13) is only a consequential Proceeding to G.O.Ms.No.330 Municipal Administration & Urban Development (CRDA.2) Department, dated 11.10.2018 (Ex.P.12). This apart, the Land Pooling Scheme has offered benefits to the owner as well as to the Archakas and or the occupiers of the land. The G.O.Ms.No.330 Municipal Administration & Urban Development (CRDA.2) Department, dated 11.10.2018 (Ex.P.12) has considered the valuable rights of the occupiers of the subject land who have been at least in occupation for more than 40 years and the documentary evidence would amply prove that they have obtained Form-VIII (Ryotwari Patta) and Pattadar Passbooks about several decades ago. Having considered these aspects, this Court is of the considered opinion that the present Writ Petition is devoid of any merit and liable to be dismissed.”

15. Arguments as raised by learned Senior Counsel for appellant that G.O.Ms.No.330, dated 11.10.2018, is not applicable or that private respondents are not entitled to the benefit thereof, is not substantiated by material on record. Hence is rejected.

16. Learned counsel for appellant was unable to point out any illegality, irregularity or infirmity in the impugned order, which calls for interference by this Court in exercise of appellate jurisdiction.

17. No other argument was addressed.

18. Writ appeal is accordingly dismissed.No costs. Pending miscellaneous application(s), if any, also stand(s) disposed of accordingly.

LISA GILL, CJ.

Date: 07.08.2026

NINALA JAYASURYA, J.

SSN

Uploaded on: 7th August, 2026.

Whether the order is Speaking/Reasoned : Yes

Whether the order is Reportable : Yes / No