



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

[3332]

MONDAY, THE TWENTY SECOND DAY OF DECEMBER
TWO THOUSAND AND TWENTY FIVE

PRESENT

THE HONOURABLE SRI JUSTICE RAVI CHEEMALAPATI

WRIT PETITION NOS: 1377/2023 & 13552 of 2023

W.P.No.1377 of 2023

Between:

1. GONELLA VENKATESWARLU, S/O GONELLA SRIRAMA SESHAGIRI
RAO, AGE 52 YEARS, OCC. BUSINESS, R/O D.NO.1-3-5, 3RD
STREET, NEAR RAMALAYAM, GANDHI NAGAR, ANAKAPALLI,
ANAKAPALLI (VISAKHAPATNAM) DISTRICT.

...PETITIONER

AND

1. THE STATE OF ANDHRA PRADESH, REP. BY ITS PRINCIPAL
SECRETARY, PANCHAYATH RAJ AND RURAL DEVELOPMENT,
SECRETARIAT BUILDINGS, VELAGAPUDI, AMARAVATHI.

2. THE DISTRICT COLLECTOR PANCHAYATH RAJ WING, WEST
GODAVRI DISTRICT, BHIMAVARAM.

3. THE MANDAL DEVELOPMENT OFFICER, KALLA MANDAL, KALLA,
WEST GODAVARI DISTRICT.

4. THE PEDAMIRAM GRAM PANCHAYATH, REP. BY ITS
SECRETARY/EXECUTIVE OFFICER, PEDAMIRAM VILLAGE, KALLA
MANDAL, WEST GODAVARI DISTRICT.

5. SRI TIVARI PUMA SINGH, S/O KOTA SATYANARAYANA SINGH,
AGE ABOUT 51 YEARS, OCC. BUSINESS, R/O D.NO.2-38,
PEDAMIRAM VILLAGE, KALLA MANDAL, WEST GODAVARI
DISTRICT.

...RESPONDENT(S):

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the affidavit filed therewith, the High Court may be pleased to issue an appropriate Writ, Order or direction more particularly one in the nature of Writ of Mandamus declaring the inaction of the respondents 1 to 4 to initiate appropriate action against the 5th respondent for making illegal construction against the sanction plan vide BLR.No.18 of 2022, dated 08-12-2022, in the property to an extent of 52 cents in RS.No.445/1, situated at Pedamiram Village, Kalla Mandal, West Godavari District as illegal, arbitrary and violation of principles of natural justice and consequently direct the respondents 1 to 4 to initiate the appropriate action against the 5th respondent for making illegal construction against the sanction plan vide BLR.No.18 of 2022, dated 08-12-2022, in the property to an extent of 52 cents in RS.No.445/1, situated at Pedamiram Village, Kalla Mandal, West Godavari District and to pass

IA NO: 1 OF 2023

Petition under Section 151 CPC praying that in the circumstances stated in the affidavit filed in support of the petition, the High Court may be pleased to direct the official respondents to stop the illegal construction is raising by the 5th respondent against the sanction plan vide BLR.No.18 of 2022, dated 08-12-2022, in the property to an extent of 52 cents in RS.No.445/1, situated at Pedamiram Village, Kalla Mandal, West Godavari District, pending disposal of the above writ petition and to pass

IA NO: 2 OF 2023

Petition under Section 151 CPC praying that in the circumstances stated in the affidavit filed in support of the petition, the High Court may be pleased to vacate the interim order dt.23.1.2023 Pursuant to IA No. 1 of 2023 in WP No. 1377 of 2023 and to dismiss above writ petition , in the interest of and pass

IA NO: 3 OF 2023

Petition under Section 151 CPC praying that in the circumstances stated in the affidavit filed in support of the petition, the High Court may be pleased to vacate the interim order dated 23-01-2023 pursuant to IA No. 1/2023 in WP No. 1377 of 2023 pending disposal above writ petition in the interest of justice and pass

IA NO: 4 OF 2023

Petition under Section 151 CPC praying that in the circumstances stated in the affidavit filed in support of the petition, the High Court may be pleased to receive Reply Affidavit on record by allowing the Leave Petition in the above Writ Petition and pass

Counsel for the Petitioner:

1.K V L NARASIMHA RAO

Counsel for the Respondent(S):

1.GP FOR PANCHAYAT RAJ RURAL DEV

2.N SRIHARI (Standing Counsel for ZPP MPP and GRAM PANCHAYAT)

3.N SRIHARI (Standing Counsel for MPP ZPP and GRAM PANCHAYAT)

4.NIMMAGADDA REVATHI

WRIT PETITION NO: 13552/2023

Between:

1.TIVARI PURNA SINGH, S/O KOTA SATYANARAYANA SINGH, AGED ABOUT 51 YEARS, HINDU, BUSINESS, R/O D.NO.2-38, PEDDA AMIRAM VILLAGE, KALLA MANDAL, WEST GODAVARI DISTRICT.

...PETITIONER

AND

1.THE STATE OF AP, REP. BY ITS PRINCIPAL SECRETARY TO GOVERNMENT, PANCHAYAT RAJ AND RURAL DEVELOPMENT DEPARTMENT, SECRETARIAT, VELAGAPUDI, AMARAVATI, GUNTUR DISTRICT.

2.DISTRICT COLLECTOR PANCHAYAT WING, WEST GODAVARI DISTRICT AT BHIMAVARAM.

3.DISTRICT PANCHAYAT OFFICER, WEST GODAVARI DISTRICT AT BHIMAVARAM.

4.PEDA AMIRAM GRAMA PANCHAYAT, REP. BY ITS EXECUTIVE AUTHORITY-CUM-PANCHAYAT SECRETARY, PEDDA AMIRAM VILLAGE, KALLA MANDAL, WEST GODAVARI DISTRICT.

...RESPONDENT(S):

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the affidavit filed therewith, the High Court may be pleased topleased to issue a writ, order or direction more particularly one in the nature of WRIT OF MANDAMUS declaring the action of respondents, particularly 4th respondent in preventing me from constructing house in my site property admeasuring an extent of 52.16 Sq.Yards covered by S.No.445/1 situated at Peda Amiram Village of Kalla Mandal in West Godavari District, without considering my reply/objections submitted by me for unnumbered notice dated 04.01.2023, in spite of permission granted by 4th respondent in his proceedings in BLR No. 18 dated 08.12.2022, as illegal, irregular, irrational, violative of provisions of Andhra Pradesh Panchayat Raj Act, 1994 and offends Articles 14, 21 and 300-A of Constitution of India and consequently direct the respondents not to interfere in any manner with my construction of my said house site property and pass

IA NO: 1 OF 2023

Petition under Section 151 CPC praying that in the circumstances stated in the affidavit filed in support of the petition, the High Court may be pleased to direct the respondents, particularly 4th respondent, not to interfere in any manner with construction of the petitioner's house site property admeasuring an extent 52.16 Sq.Yards covered by S.No.445/1 situated at Peda Amiram Village of Kalla Mandal in West Godavari District, pending disposal of the main writ petition and pass

Counsel for the Petitioner:

1.NIMMAGADDA REVATHI

Counsel for the Respondent(S):

1.GP FOR PANCHAYAT RAJ RURAL DEV

2.N SRIHARI (Standing Counsel for ZPP MPP and GRAM PANCHAYAT)

COMMON ORDER

Writ Petition vide W.P.No.1377 of 2023 is filed questioning the inaction of the respondent nos.1 to 4 in initiating appropriate action against respondent no.5 in making illegal construction against the sanctioned Plan vide B.L.R.No.18 of 2022, dated 08.12.2022.

2. Whereas the respondent no.5 in W.P.No.1377 of 2023 filed Writ Petition vide W.P.No.13552 of 2023 questioning the action of respondent authorities in preventing him from construction house in his site admeasuring 52.16 sq.yards covered by S.No.445/1 situated at Peda Amiram Village of Kalla Mandal in West Godavari District, without considering his reply/objection submitted for notice issued to him dated 04.01.2023.

3. Since both the writ petitions are in relation to the same subject property, they are heard together and are being disposed of by this common order.

4. Heard Sri K.V.L.Narasimha Rao, learned counsel for the petitioner in W.P.No.1377 of 2023, Smt. Nimmagadda Revathi, learned counsel for petitioner in W.P.No.13552 of 2023 and Sri Y.Koteswara Rao, learned Standing Counsel for Gram Panchayat.

5. Smt. Nimmagadda Revathi, learned counsel, submitted that consequent to filing of the writ petition vide W.P.no.1377 of 2023, the unofficial respondent (petitioner in W.P.No.13552 of 2023) stopped the

construction activity and therefore, the writ petition vide W.P.no.1377 of 2023 which was filed questioning the construction can be closed. Sri K.V.L.Narasimha Rao, learned counsel, also confirmed that subsequent to filing of the writ petition, respondent no.5 in W.P.No.1377 of 2023 (petitioner in W.P.No.13552 of 2023) stopped construction.

6. Smt. Nimmagadda Revathi, learned counsel further submitted that since the construction itself is stopped, the petitioner seeks permission of this Court to withdraw writ petition vide W.P.No.13552 of 2023 which was filed questioning the action of respondent authorities in not permitting him to make construction.

7. In view of the above,

(a) the writ petition vide W.P.No.1377 of 2023 is closed. There shall be no order as to costs.

(b) The Writ Petition vide W.P.No.13552 of 2023 is dismissed as withdrawn. There shall be no order as to costs.

Pending miscellaneous petitions, if any, shall stand closed.

JUSTICE RAVI CHEEMALAPATI

DATED 22ND day of December, 2025.

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