



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

[3332]

**TUESDAY, THE FOURTH DAY OF NOVEMBER
TWO THOUSAND AND TWENTY FIVE**

PRESENT

THE HONOURABLE SRI JUSTICE RAVI CHEEMALAPATI

WRIT PETITION NO: 1815/2023

Between:

1. KONDETI SUNDERA RAO, , S/O. LATE NAGURU, AGED
ABOUT 69 YEARS, OCC. LABOUR, R/O. D. NO.9-156/1,
CHEBROLU VILLAGE, UNGUTURU MANDAL, ELURU
DISTRICT

...PETITIONER

AND

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

2. THE DISTRICT COLLECTOR, AT ELURU, ELURU
DISTRICT.

3. THE REVENUE DIVISIONAL OFFICER, AT ELURU,
ELURU DISTRICT.

4.THE TAHSILDAR, UNGUTURU MANDAL, ELURU DISTRICT.

5.THE CHEBROLU GRAM PANCHAYAT, REP. BY ITS SECRETARY, CHEBROLU VILLAGE, UNGUTURU MANDAL, ELURU DISTRICT.

6.THE STATION HOUSE OFFICER, CHEBROLU POLICE STATION, UNGUTURU MANDAL, ELURU DISTRICT.

7.AKULA NOOKA RAJU, S/O. VEER RAJU, AGED. 56 YEARS, OCC. CULTIVATION, R/O. H. NO. 9-83, SMHADRI COLONY, CHEBROLU VILLAGE, UNGUTURU MANDAL, ELURU 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 may be pleased to issue an appropriate Writ, Order or Direction, more particularly one in the nature of Writ of Mandamus, declaring the action of the Respondents No.4 to 6 making illegal attempts to dispossess the Petitioner House bearing No.9-156/1, situated at Chebrolu Village, Dubacharla Road, Unguturu Mandal, Eluru District, pending Representation dt.20.01.2023 and violation of Principles of Natural Justice and without following due process of law and without there being any authority of law as arbitrary, illegal and contrary to the provisions of Grampanchat Act, and violation of petitioners' rights guaranteed under Article 21 and 300-A of the Constitution of India. Consequently, direct the Respondent Nos. 4 to 6 not to interfere with the peaceful possession and enjoyment of the House bearing No.9-156/1, situated at Chebrolu

Village, Dubacharla Road, Unguturu Mandel, Eluru District by considering the Representation 20.01.2023 and pass such

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 may be pleased to direct the Respondent Nos. 4 to 6 not to interfere with the peaceful possession and enjoyment of the House bearing No.9-156/1, situated at Chebrolu Village, Dubacharla Road, Unguturu Mandal, Eluru District, pending disposal of the Writ Petition and pass such other order or orders in the interest of justice and equity

Counsel for the Petitioner:

1.BABUJI TENNETI

Counsel for the Respondent(S):

1.GP FOR PANCHAYAT RAJ RURAL DEV

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

The Court made the following:

Declaring the action of respondent Nos.4 to 6 in attempting to dispossess the petitioner from his house bearing No.9-156/1, situated at Chebrolu Village, Dubacharla Road, Unguturu Mandal, Eluru District, without following the due process of law

and pending consideration of the petitioner's explanation submitted to the notice *vide* Rc.No.24/2023, dated 11.01.2023, issued by the 5th respondent-Gram Panchayat, as illegal and arbitrary, the present writ petition is filed.

2. Heard Sri Babuji Teneti, learned counsel for the petitioner, Sri Y. Koteswara Rao, learned Standing Counsel for Gram Panchayat and Ms. Naga Chandrika, learned Assistant Government Pleader for Revenue.

3. Learned counsel for the petitioner, while reiterating the contents of the affidavit, submitted that a notice dated 11.01.2023 was issued by the 5th respondent, asking the petitioner to submit explanation along with the title documents of the subject property. Subsequently, the petitioner submitted the explanation and the same was very much received by the Gram Panchayat. However, without passing any orders on the explanation submitted, the respondent authorities tried to dispossess the petitioner from the subject property highhandedly. In the said circumstances, the petitioner was constrained to file the present

writ petition. He further submitted that on 23.02.2023, this Court directed both the parties to maintain *status-quo*. As such, prayed to pass appropriate orders protecting the interest of the petitioner.

4. Learned Standing Counsel, on counter, submitted that the explanation submitted by the petitioner has been received by the Gram Panchayat and is presently under consideration. He further submitted that the authorities have an intention to pass orders on the same in accordance with the law. As such, prayed to dismiss the writ petition.

5. Considering the submissions of learned Standing Counsel that the authorities have an intention to follow due process of law, there is no purpose in keeping the writ petition and this Court is inclined to dispose of the writ petition by passing the following order:

“Respondent authorities are directed to consider and pass appropriate orders on the explanation submitted by the petitioner to the notice *vide* Rc.No.24/2023, dated 11.01.2023, issued by

the 5th respondent-Gram Panchayat, in accordance with law by issuing proper notices to all the parties concerned, inviting explanation and providing an opportunity of being heard and pass a reasoned order. The said exercise shall be completed within a period of three (03) months from the date of receipt of a copy of this order. Till passing of such orders, the respondent authorities are directed not to take any action against the petitioner's house bearing No.9-156/1, situated at Chebrolu Village, Dubacharla Road, Unguturu Mandal, Eluru District.

6. Accordingly, the Writ Petition is ***disposed of***. There shall be no order as to costs.

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

JUSTICE RAVI CHEEMALAPATI

Date: 04.11.2025
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THE HONOURABLE SRI JUSTICE RAVI CHEEMALAPATI

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