

IN THE HIGH COURT OF ANDHRA PRADESH AT AMARAVATI  
SPECIAL ORIGINAL JURISDICTION

THURSDAY, THE TWENTIETH DAY OF JUNE  
TWO THOUSAND AND TWENTY FOUR

:PRESENT:

THE HONOURABLE SRI JUSTICE RAVI CHEEMALAPATI

WRIT PETITION NO: 3211 OF 2023



**Between:**

Goura Venkateswara Rao, S/o Muniyya, Age. 44 yrs, Occ. Computer Center, R/o D.No.1-110, Sivapuram Village, Chinthalapudi Mandal, Eluru District.

**Petitioner**

**AND**

1. The State of Andhra Pradesh, Rep. by its Prl. Secretary, Panchayat Raj Department, Secretariat, Velagapudi, Guntur District.
2. The State of Andhra Pradesh, Rep. by its Prl. Secretary, R & B Department, Secretariat, Velagapudi, Guntur District.
3. The District Collector, Eluru District at Eluru.
4. The M.P.D.O., Chinthalapudi Mandal, Eluru District.
5. The Assistant Engineer, R & B Department, Chinthalapudi, Eluru District.
6. The Station House Officer, Chinthalapudi, Eluru District.
7. The Panchayat Secretary, Sivapuram Panchayat, Chinthalapudi Mandal, Eluru District.
8. Kalapala Venkateswara Rao, S/o Ramayya, Age. 35 yrs, R/o Sivapuram Village, Chinthalapudi Mandal, Eluru District.
9. Middey Srinivasa Rao, S/o Krishna, Age. 48 yrs, R/o Yendapalli Village, Chinthalapudi Mandal, Eluru District.

**Respondents**

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

be pleased to issue order or direction more particularly one in the nature of writ of MANDAMUS declaring the inaction of the respondents to stop the illegal construction of shed for the purpose of erecting the statue of Sri Late NT Rama Rao on the main road of Sivapuram Village, which is constructed on the pipe line supplying drinking water to the SC colony without any permissions is illegal, arbitrary and unconstitutional and consequently direct the respondents authorities to remove the shed from the main road of Sivapuram Village in the interest of justice.

**IA NO: 1 OF 2023:**

Petition under Section 151 of CPC is filed 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 to stop erecting the statue of Sri Late NT Rama Rao on the main road of Sivapuram Village, Chinthalapudi Mandal, Eluru District, Pending disposal of WP 3211 of 2023, on the file of the High Court.

The petition coming on for hearing, upon perusing the Petition and the affidavit filed in support thereof and upon hearing the arguments of Sri M P V N V SASTRI Advocate for the Petitioner and of GP FOR PANCHAYAT RAJ for the Respondent No.1 and of GP FOR R & B for the Respondent Nos.2 & 5 and of GP FOR REVENUE for the Respondent No.3 and of SRI N.SRIHARI, Standing Counsel for the Respondent Nos.4 & 7 and of GP FOR HOME for the Respondent No.6 and of SRI P.S.P.SURESH KUMAR, Advocate for the Respondent Nos.8 & 9, the Court made the following

**ORDER:**

**“The controversy involved in these writ petitions is**

**(1) Whether the land in an extent of 44.5 sq.yards in R.S.No.743-1 of Yendapalli Revenue village of Chintalapudi Mandal of Eluru District wherein the petitioner in W.P.No.3957 of 2023 sought to erect a statute is the private property or public property as claimed by the petitioner in W.P.No.3211 of 2023? and**

(2) Whether the site wherein the statue is sought to be erected is above the water pipeline?

For effective adjudication of the dispute involved in these writ petitions, this Court deems it proper to direct the District Collector (Panchayat Wing), Eluru, Eluru District (Formerly West Godavari District) to get the subject land surveyed to ascertain as to whether the site wherein the statue is proposed to be laid is in the subject land set out in W.P.No.3957 of 2023, if it is so, whether the said land is a private land or in the land belongs to the government and further whether the said site is above the water pipeline and file a report accordingly.

For filing report, post on 04.07.2024."

//TRUE COPY//

Sd/- S. SRINIVASA PRASAD  
ASSISTANT REGISTRAR

16/24

For

SECTION OFFICER

To,

1. The District Collector[Panchayat Wing], Eluru District at Eluru.[Formerly West Godavari District] **[BY RPAD SPEED POST]**
2. The Prl. Secretary, Panchayat Raj Department, State of Andhra Pradesh, Secretariat, Velagapudi, Guntur District.
3. The Prl. Secretary, R & B Department, State of Andhra Pradesh, Secretariat, Velagapudi, Guntur District.
4. The M.P.D.O., Chinthalapudi Mandal, Eluru District.
5. The Assistant Engineer, R & B Department, Chinthalapudi, Eluru District.
6. The Station House Officer, Chinthalapudi, Eluru District.

7. The Panchayat Secretary, Sivapuram Panchayat, Chinthalapudi Mandal, Eluru District.
8. Kalapala Venkateswara Rao, S/o Ramayya, Age. 35 yrs, R/o Sivapuram Village, Chinthalapudi Mandal, Eluru District.
9. Middey Srinivasa Rao, S/o Krishna, Age. 48 yrs, R/o Yendapalli Village, Chinthalapudi Mandal, Eluru District. **(Addresses 2 to 9 by RPAD)**
10. One CC to SRI. M P V N V SASTRI Advocate [OPUC]
11. Two CCs to GP FOR PANCHAYAT RAJ, High Court of Andhra Pradesh. [OUT]
12. Two CCs to GP FOR HOME, High Court of Andhra Pradesh. [OUT]
13. Two CCs to GP FOR REVENUE, High Court of Andhra Pradesh. [OUT]
14. Two CCs to GP FOR R&B, High Court of Andhra Pradesh. [OUT]
15. One CC to SRI N.SRIHARI, Standing Counsel. [OPUC]
16. One CC to SRI P.S.P.SURESH KUMAR, Advocate. [OPUC]
17. **One spare copy**

ER



HIGH COURT

RCJ

DATED:20/06/2024

POST ON 04.07.2024

ORDER

DIRECTION

WP.No.3211 of 2023

