



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

[3332]

THURSDAY, THE SIXTH DAY OF NOVEMBER
TWO THOUSAND AND TWENTY FIVE

PRESENT

THE HONOURABLE SRI JUSTICE RAVI CHEEMALAPATI

WRIT PETITION NO: 3291/2023

Between:

1. LANKALAPALLI ATCHAYAMMA, W/O VENKATA RAO, HINDU, AGED 69 YEARS, HOUSEWIFE, R/O NADIPALLI (VIL.), POOSPATIREGA MANDAL, VIZIANAGARAM DISTRICT.

...PETITIONER

AND

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

2. DISTRICT PANCHAYAT OFFICER, VIZIANAGARAM DISTRICT, VIZIANAGARAM.

3. MANDAL PARISHAD DEVELOPMENT OFFICER, POOSPATIREGA MANDAL, VIZIANAGARAM DISTRICT.

4. THE NADIPALLI GRAM PANCHAYAT, REP BY ITS PANCHAYAT SECRETARY, NADIPALLI VILLAGE, POOSPATIREGA MANDAL, VIZIANAGARAM DISTRICT. R4 IS IMPEADED AS PER THE ORDER OF THIS COURT DT 21/02/2023 VIDE ORDER PASSED IN IA 02/2023.

...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 a writ, order or direction, more particularly a writ in the nature mandamus, declaring the high-handed and arbitrary action of the respondents

in interfering with the possession and enjoyment of the Petitioner of an extent of Ac.0.50 Cents in Survey No. 10-36 in Nadipalli village and trying to dispossess the Petitioners by demolishing the structures therein without following due process of law, as illegal, arbitrary, without jurisdiction, and consequently, direct the respondents to forbear from interfering in any manner with the possession of the Petitioner of an extent of Ac.0.50 Cents in Survey No. 10-36 in Nadipalli village, Poospatirega Mandal, Vizianagaram District 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 not to interfere with the possession and enjoyment of the Petitioner vacant site of an extent of Ac.0.50 Cents in Survey No. 10-36 in Nadipalli village, Poospatirega Mandal, Vizianagaram District pending disposal of the above Writ Petition and 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 implead The Nadipalli Gram Panchayat, rep.by its Panchayat Secretary, Nadipalli Village, Poosapatirega Mandal, Vizianagaram District. as party Respondent No.4 to this writ petition and pass

Counsel for the Petitioner:

1.M BALASUBRAHMANYAM

Counsel for the Respondent(S):

1.GP FOR PANCHAYAT RAJ RURAL DEV

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

The Court made the following:

ORDER:

Declaring the highhanded action of the respondents in interfering with the possession and enjoyment of the petitioner's land to an extent of Ac.0.50 cents in Sy.No.10-36 in Nadipalli Village and trying to dispossess her by demolishing the structures therein without following due process of law, as illegal, arbitrary, the present writ petition is filed.

2. Heard Sri M.Bala Subrahmanyam, learned counsel for the petitioner, Sri Y.Koteswara Rao, learned Standing Counsel for Gram Panchayat and Smt.Naga Chandrika, learned Assistant Government Pleader for Panchayat Raj for the respondents.

3. Learned Standing Counsel on counter contended that the respondents never interfered with the subject property of the petitioner. The Gram Panchayat neither issued notice nor tried to dispossess the petitioner in any way and the writ petition has been filed on mere apprehension, accordingly, prayed to dismiss the writ petition.

4. In reply, learned counsel for the petitioner prayed to record the said submission and close the writ petition.

5. Perused the record and considered the submissions made by the learned counsel.

6. Assailing the action of the respondents in interfering with the possession of the petitioner over the subject property, the present writ petition is filed. A perusal of the counter would indicate that the Gram

Panchayat never interfered with the possession of the petitioner or tried to dispossess her from the subject property. In view of the same, there remains nothing for adjudication and the writ petition is liable to be closed.

7. Accordingly, the Writ Petition is ***closed***. The respondents are directed not to interfere with the petitioner's subject property. In the event if they want to interfere, it is needless to observe that they have to follow due process of law. There shall be no order as to costs.

As a sequel, miscellaneous applications, pending if any, shall stand closed.

JUSTICE RAVI CHEEMALAPATI

Date: 06th November, 2025
RKS