



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

[3332]

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

PRESENT

THE HONOURABLE SRI JUSTICE RAVI CHEEMALAPATI

WRIT PETITION NO: 51/2023

Between:

1. MOHAMMED MALLIKA BEBI, W/O KHADAR MAHIDDEN SULTAN, AGE. 60 YRS, OCC. HOUSE WIFE, R/O PEDAGEDDA VILLAGE, RAMPACHODAVARAM MANDAL, ALLURI SEETHA RAMA RAJU DISTRICT.
2. SHAIK CHITTI FAHIMA BEBI, W/O SHEENI SHAADI KALI, AGE. 42 YRS, OCC. HOUSE WIFE, R/O PEDAGEDDA VILLAGE, RAMPACHODAVARAM MANDAL, ALLURI SEETHA RAMA RAJU DISTRICT.

...PETITIONER(S)

AND

1. THE STATE OF ANDHRA PRADESH, REP. BY ITS PRL. SECRETARY, PANCHAYAT RAJ DEPARTMENT, SECRETARAIT, VELAGAPUDI, GUNTUR DISTRICT.
2. THE GRAM PANCHAYAT, PEDAGEDDA VILLAGE, RAMPACHODAVARAM MANDAL, ALLURI SEETHA RAMA RAJU, REP. BY ITS SECRETARY.
3. THE SAPRANCH, PEDAGEDDA GRAM PANCHAYAT, RAMPACHODAVARAM MANDAL, ALLURI SEETHA RAMA RAJU DISTRICT.
4. THE TAHSILDAR, RAMPCHODAVARAM MANDAL, ALLURI SEETHA RAMA RAJU DISTRICT.

5. TELEGAMSETTY APPARAO, S/O SURYA RAO, AGE. 55 YRS, R/O PEDAGEDDA VILLAGE, RAMPACHODAVARAM MANDEL, ALLURI SEETHA RAMA RAJU 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 order direction more particularlry one in the nature of Writ of MANDAMUS declaring the action of the respondents 2 to 4 in seeking to disposes the petitioners from their houses bearing D.No.3-326 and 3-327 situated at Peda Gedda Village, Rampachodavaram Mandal, Alluri Seethe Rama Raju District without following the due process of law as illegal, arbitrary and unjust and consequently directly the respondents not to evict the petitioners from their house properties as mentioned above and pass

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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 2 to 4 not to interfere and evict the petitioner from houses bearing D.No.3-326 and 3-327 situated at Peda Gedda Village, Rampachodavaram Mandal, Alluri Seetha Rama Raju District, pending disposal of the above writ petition and pass

Counsel for the Petitioner(S):

1.K VENKATESH

Counsel for the Respondent(S):

1.GP FOR REVENUE

2.VARA LAKSHMI CHEKURI

3.GP FOR PANCHAYAT RAJ RURAL DEV

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

The Court made the following order:

The grievance of the petitioners is that without issuing any notice and without following the due process of law, respondent Nos.2 to 4 are trying to dispossess the petitioners from their houses bearing D.No.3-326 and 3-327 situated at Peda Gedda Villge, Rampachodvaram Mandal, Alluri Seetha Rama Raju District.

2. Heard Sri K.Venkatesh, learned counsel for the petitioners, Smt D.Chandrika, learned Assistant Government Pleader for Panchayat Raj, Sri Chandra Sekhar, learned Assistant Government Pleader for Revenue and Sri Y.Koteswararao, learned standing counsel for Gram Panchayat.

3. Learned counsel for the petitioners, in elaboration to what has been stated in the affidavit, contended that the petitioners are in possession and enjoyment of the subject property. The respondent authorities, without issuing any notice and without following the due process of law, are interfering with the petitioners' possession over the subject property at the instance of respondent No.5. Hence, prayed to pass orders protecting the interest of the petitioners.

4. On the other hand, learned standing counsel for Gram Panchayat placed on record the written instructions of the Panchayat Secretary, Pedageddada Grama Panchyat, Rampachodavaram Mandal, dated 01.12.2025 and submitted that the Gram Panchayat has not interfered with the petitioners' possession over the subject property. Hence, prayed to dismiss the Writ Petition.

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

6. The contention of the petitioner is that without issuing any notice and without following the due process of law, the respondent authorities are interfering with the petitioners' subject property. To establish their possession over the subject property, the petitioners filed house tax receipts. Perusal of the written instructions of the Panchayat Secretary shows that the respondents have not interfered with the petitioners' subject property.

7. Taking the submissions of both the learned counsel into consideration, since the respondent authorities have stated that they have not interfered with the petitioners' property, this Court, without going into the merits of the case, is inclined to dispose of the same with the following direction:

“The respondent authorities are directed not to interfere with the petitioners' house bearing D.No.3-326 and 3-327 situated at Peda Gedda Village, Rampachodvaram Mandal, Alluri Seetha Rama Raju District, except under due process of law.”

8. 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

01.12.2025

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THE HON'BLE SRI JUSTICE RAVI CHEEMALAPATI

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MP