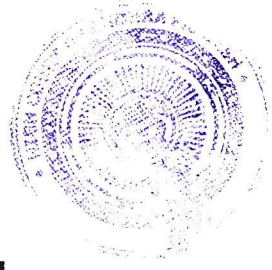


**IN THE HIGH COURT OF ANDHRA PRADESH AT AMARAVATI
(SPECIAL ORIGINAL JURISDICTION)**

**TUESDAY, THE TENTH DAY OF MARCH
TWO THOUSAND AND TWENTY SIX**

:PRESENT:

**THE HONOURABLE SRI JUSTICE SUBBA REDDY SATTI
WRIT PETITION NO: 966 OF 2026**



Between:

Kantareddy Jamal Reddy, Aged 55 years, S/o. Sreerama Reddy, H.NO.2-93, Seetharamapuram, Nandipalle, Kurnool District - 518502.

Petitioner

AND

1. The State of Andhra Pradesh, Rep by its Principal Secretary, Department of Panchayat Raj, Secretariat Building, Velagapudi, Amaravathi, Guntur.522238
2. The District Collector, Kurnool Kurnool District.518501
3. The District Panchayath Officer, Nandyal District.518502
4. Mandal Parishad Development officer, Mandal Praja Parishad, Mahanandi Mandal, Nandyal District.518502
5. The Seetharamapuram Gram Panchayat, Represented by Panchayath Secretary, Mahanandi Mandal, Nandyal District.518502

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 a Writ, Order or Direction, more particularly one in the nature of a Writ of Mandamus Declaring the inaction of the 5th Respondent in granting building permission to the petitioner for re-construction of the dwelling house on the property bearing Survey No. 408, admeasuring Ac. 0-04-004 cents (equivalent to 195.5 square yards) situated in Seetharamapuram Village, Mahanandi Mandal, Nandyal District, despite payment of the requisite fee, submission of necessary documents, and reply to the show-cause notice

dated 09.12.2025, as illegal, arbitrary, unreasonable, and violative of Articles 14 and 300A of the Constitution of India and Consequently direct the 5th Respondent to forthwith consider and grant building permission/ Approval to the Petitioner for construction/reconstruction of the residential building on the aforesaid property, in accordance with the Andhra Pradesh Panchayat Raj Act, 1994, and the Andhra Pradesh Building Rules, 2017;

IA NO: 2 OF 2026

Petition under Section 151 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 5th Respondent to refrain from taking any coercive or penal action against the petitioner pursuant to the show-cause notice Rc.No.PSNo.1/2025 dated 09.12.2025, including demolition of the construction, imposition of any fine, or interference with the petitioner's possession and construction activities on the property bearing Survey No. 408, admeasuring Ac.0-04-004 cents (equivalent to 195.5 square yards) situated in Seetharamapuram Village, Mahanandi Mandal, Nandyal District, Pending disposal of WP 966 of 2026, on the file of the High Court.

IA NO: 1 OF 2026

Petition under Section 151 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 Respondent No.5 to forthwith consider the Petitioners reply dated 11.12.2025 and grant building permission/Approval to the Petitioner for construction/reconstruction of the residential building on the aforesaid property, in accordance with the Andhra Pradesh Panchayat Raj Act, 1994, and the Andhra Pradesh Building Rules, 2017, Pending disposal of WP 966 of 2026, 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 THATHIREDDY ASHOK SRIVASTAVA Advocate for the Petitioner, GP FOR PANCHAYAT RAJ RURAL DEV for Respondent Nos.1, R3 and R4 GP for

Revenue Department for R2, Sri M.Sudhir, Standing counsel for R5 and the Court made the following.

ORDER

The above writ petition was filed to declare the inaction of the 5th respondent in granting building permission to the petitioner for re-construction of the dwelling house in an extent of 195.5 sq. yards in Sy.No.408 of Seetharamapuram Village, Mahanandi Mandal, Nandyal District, despite payment of requisite fee and submission of necessary documents, as illegal and arbitrary.

Learned counsel for the petitioner submitted that a show-cause notice dated 09.12.2025 (Ex.P2) was issued by the Panchayat Secretary of 5th respondent. The petitioner submitted a reply dated 11.12.2025 (Ex.P3). Thereafter, the petitioner made representations vide Exs.P4 and P5. The petitioner paid the building approval fee on 13.12.2025 (Ex.P6).

The writ petition was listed on 03.03.2026. Sri Hruthik, learned counsel representing Sri M.Sudhir, learned Standing Counsel appearing for respondents 4 and 5 submitted that the application made by the petitioner, for grant of building permission, was rejected. Learned counsel seeks time to produce the same.

Today, when the matter taken up, Ms.Kavitha, learned counsel representing Sri M.Sudhir, learned Standing Counsel submitted the copy of proceedings communicated by the Panchayat Secretary of 5th respondent to the petitioner.

A perusal of the proceedings would indicate that as per the letter received from the Sarpanch and the resolution passed in the Gram Panchayat General Body Meeting, the village administration has formal objections regarding the building permission in the specified survey number. The petitioner did not submit any building plan to Panchayat Department. Without a plan, the Panchayat Secretary has no right to give permission for construction of ground floor in Sy.No.408(P). Though the petitioner sent one copy through the registered post showing the

proposed construction plan however, the petitioner failed to submit proper plan, documents or proof to the department to consider his request.

Earlier, the District Gram Panchayat Officer, submitted instructions. As seen from the instructions, the Panchayat Secretary informed the District Gram Panchayat Officer that the petitioner submitted some relevant documents like registration papers, fee receipt paid to Kurnool Urban Development Authority however, not submitted the building plan. The aforementioned documents were submitted to the Gram Panchayat, when the house is under construction. The instructions further disclose that necessary instructions will be issued by the Panchayat Secretary to grant building plan approval to the petitioner after verifying the building plan, setbacks etc., as per the Andhra Pradesh Panchayat Raj Act.

Given the facts and circumstances of the case and different instructions, as noted supra, respondent No.3 shall look into the issue and submit a report to this Court, by the next date of hearing.

List the matter on 24.03.2026.

Sd/-N.Nagamma,
ASSISTANT REGISTRAR

//TRUE COPY//


SECTION OFFICER

To,

1. The Principal Secretary, State of Andhra Pradesh, Department of Panchayat Raj, Secretariat Building, Velagapudi, Amaravathi, Guntur.522238 (by **Special Messenger**)
2. The District Collector, Kurnool Kurnool District.518501.
3. The District Panchayath Officer, Nandyal District.518502.
4. Mandal Parishad Development officer, Mandal Praja Parishad, Mahanandi Mandal, Nandyal District.518502.

5. The Panchayath Secretary, Seetharamapuram Gram Panchayat, Mahanandi Mandal, Nandyal District.518502 (addressee 2 to 5 by **RPAD**)
6. One CC to SRI. THATHIREDDY ASHOK SRIVASTAVA Advocate [OPUC]
7. Two CCs to GP FOR PANCHAYAT RAJ RURAL DEV, High Court of Andhra Pradesh. [OUT]
8. Two CCs to GP FOR Revenue Department, High Court of Andhra Pradesh. [OUT]
9. One CC to Sri.M.Sudhir, Standing counsel [OPUC]
10. One spare copy

HIGH COURT

SRS,J

DATED:10/03/2026

LIST THE MATTER ON 24.03.2026

ORDER

WP.No.966 of 2026

DIRECTION

