

IN THE HIGH COURT OF ANDHRA PRADESH AT AMARAVATI

(Original Jurisdiction)

**TUESDAY, THE FIFTH DAY OF NOVEMBER,
TWO THOUSAND AND TWENTY FOUR**

:PRESENT:

**THE HONOURABLE SRI JUSTICE TARLADA RAJASEKHAR RAO
CONTEMPT CASE NO: 546 OF 2022**

Between:

Yetra Sreenivasa Reddy, S/o. Veera Reddy, Aged about 51 years, R/o.
Yetravaripalem Village, Karlapalem Mandal, Guntur District.

...Petitioner

AND

1. Sri Gopala Krishna Dwivedi, S/o. Not known to the Petitioner, Principal Secretary, Panchayat Raj and Rural Development Department, Secretariat, Velagapudi, Amaravathi, Guntur District - 522503.
2. Sri Kona Sasidhar, S/o. Not known to the Petitioner, The Commissioner, Panchayat Raj and Rural Development Department, No.12-47, PVS Empire, Near Pratur Cross Road, Tadepalli, Guntur District - 522501.
3. Sri Vivek Yadav, S/o. Not known to the Petitioner, District Collector and Magistrate, Guntur District.
4. M Manikyamma, D/o. not known to the Petitioner, Executive Officer cum Panchayat Secretary, The Yetravaripalem Gram Panchayat, Yetravaripalem Village, Karlapalem Mandal, Guntur District.
5. Gorrupati Nagamaruthi, W/o. Mallikarjuna Reddy, Aged about 38 years, R/o, Yetavaripalem Village, Karlapalem Mandal, Guntur District.
6. Gorrupati Mallikarjuna Reddy, S/o. Not known to the Petitioner, Aged not known to the Petitioner, R/o. Yetavaripalem Village, Karlapalem Mandal, Guntur District.

...Respondents

WHEREAS the Petitioner has presented under Sections 10 to 12 of the Contempt of Courts Act 1971, the above case through his counsel

M/s Prabhunath Vasi Reddy, praying the High Court to punish the respondents herein for his willful disobedience of the orders passed in W.P.No.29687 of 2021 dated 16.12.2021;

WHEREAS the said case coming on for hearing on this day and whereas the High Court upon perusing the affidavit filed herein and upon hearing the arguments of M/s Prabhunath Vasi Reddy, Advocate for the Petitioner and of Sri Kiran Kumar Vadlamudi, Advocate for Respondent Nos. 1 to 3 and of Sri I.Koti Reddy, Advocate for Respondent No.4 and of M/s V.Sesha Kumari, Advocate for Respondent Nos. 5 and 6 made the following

ORDER:

“It is purely civil dispute in between the petitioner and Respondent Nos.8 and 9 and it is the contention of the petitioner that respondent Nos.8 and 9 have obtained permission for construction of ACC sheet roof shed in Survey Nos. 241/1A3, 243 and 243/2. But, however, the respondents have constructed Pucca House, despite, interim direction given by this Court vide order dated 16.12.2021.

Learned designated senior counsel Sri C. Raghu would submit that the petitioner has obtained permission from the Gram Panchayat for construction of roof shed in Sy.No.243/1A3, 243/2. Even assuming that the respondent Nos.8 & 9 have constructed the pucca building, still the respondents can make an application for regularization and mainly contended that petitioner is not having *locus standi* to file the Writ Petition as the petitioner has no right over the property and requested this Court to direct the Revenue Authorities to conduct an enquiry and submit a report to this Court and the entire matter will be resolved after conducting such enquiry by the revenue department.

Therefore, the 3rd respondent is hereby directed to depute one Revenue Divisional Officer / Tahsildar to conduct survey in the presence of the writ petitioner, Respondent Nos.8 & 9 and Panchayat Secretary,

whether the respondent Nos.8 and 9 have obtained approval for construction of the said shops as per the plan granted by the Gram Panchayat vide Certificate in ROC No.16/2020-2021, dated 17.10.2021 in the property in Survey No. 243/1A3 and 243 and whether the said property belong to respondent Nos.8 and 9 as per the revenue record and submit the report within a period of five (5) weeks from the date of order of this Court.”

//TRUE COPY//

SD/- K. TATA RAO
DEPUTY REGISTRAR


SECTION OFFICER

To,

1. Sri Gopala Krishna Dwivedi, Principal Secretary, Panchayat Raj and Rural Development Department, Secretariat, Velagapudi, Amaravathi, Guntur District - 522503.
2. Sri Kona Sasidhar, The Commissioner, Panchayat Raj and Rural Development Department, No.12-47, PVS Empire, Near Pratur Cross Road, Tadepalli, Guntur District - 522501.
3. Sri Vivek Yadav, District Collector and Magistrate, Guntur District.
4. M Manikyamma, Executive Officer cum Panchayat Secretary, The Yetavaripalem Gram Panchayat, Yetavaripalem Village, Karlapalem Mandal, Guntur District.
5. Gorrupati Nagamaruthi, W/o. Mallikarjuna Reddy, Aged about 38 years, R/o, Yetavaripalem Village, Karlapalem Mandal, Guntur District.
6. Gorrupati Mallikarjuna Reddy, R/o. Yetavaripalem Village, Karlapalem Mandal, Guntur District.(Addressee Nos. 1 to 6 by RPAD)
7. One CC to SRI PRABHUNATH VASI REDDY, Advocate [OPUC]
8. One CC to SRI KIRAN KUMAR VADLAMUDI, Advocate [OPUC]
9. One CC to SRI I.KOTI REDDY, Advocate [OPUC]
10. One CC to M/S V.SESHA KUMARI, Advocate [OPUC]
11. One spare copy.

HIGH COURT

TRR,J

DATE:05/11/2024

ORDER

CC.No.546 of 2022

DIRECTION

