

(SHOW CAUSE NOTICE BEFORE ADMISSION)
IN THE HIGH COURT OF ANDHRA PRADESH AT AMARAVATI
(SPECIAL ORIGINAL JURISDICTION)

WEDNESDAY, THE ELEVENTH DAY OF FEBRUARY,
TWO THOUSAND AND TWENTY SIX

:PRESENT:

THE HONOURABLE SRI JUSTICE SUBBA REDDY SATTI

WRIT PETITION NO: 4032 OF 2026



Between:

1. Yandapalli Sekhar Babu, S/o. Late Venkata Ratnam, Aged about 57 years, Occ. Sarpanch, R/o. Gopavaram Village, Saggonda Panchayat, Gopalapuram Mandal, East Godavari District.
2. Koduri Venkata Ramana, S/o. Late Surya Chandra Rao, Aged 49 years, R/o. Gopavaram Village, Saggonda Panchayat, Gopalapuram Mandal, East Godavari District

...Petitioners

AND

1. The State of Andhra Pradesh, Rep. by its Prl. Secretary, Panchayat Raj and Rural Development Department, Secretariat Buildings, Amaravati, Guntur District.
2. The District Collector, Collectorate Compound, Rajamahendravaram, East Godavari District.
3. The District Panchayat Officer, Collectorate Compound, Rajamahendravaram, East Godavari District.
4. The Tahsildar, Gopalapuram Mandal, East Godavari District.
5. The Saggonda Gram Panchayat,, Rep. by its Panchayat Secretary, Gopavaram Village, Gopalapuram Mandal, East Godavari District.
6. Menni Balayogi, S/o. Late Satyanarayana, Aged about 72 years, R/o. Gopavaram Village, Saggonda Panchayat, Gopalapuram Mandal, East Godavari District.

7. . Menni Sudhakar, S/o.Mohan Rao, Aged 45 years, R/o.Gopavaram
Village, Saggonda Panchayat, Gopalapuram Mandal, East Godavari
District

...Respondents

WHEREAS the Petitioner above named through their Advocate Sri.SIVA RAMA KRISHNA KOLLURU presented this 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 or direction or order more particularly one in the nature of Writ of Mandamus declaring the inaction of the respondents No.2 to 5 in not preventing the construction of a temple in 'Puntha' (Passage), in R.S.No. 811 of Gangolu Village, Saggonda Gram panchayat. Gopalapuram Mandal, East Godavari District, by the respondents 6 and 7 as illegal, arbitrary, contrary to provisions of A.P.Panchayat Raj Act, 1994 and Rules made thereunder and in violation of Articles 21 and 300- A of the Constitution of India and also in violation of the order passed in W.P(PIL).140 of 2022 and consequently direct the respondents 2 to 5 to remove the encroachments made in R.S.No. 811 of Gangolu Village, Saggonda Gram panchayat, Gopalapuram Mandal, East Godavari District;

AND WHEREAS the High Court upon perusing the petition and memorandum of grounds filed herein and upon hearing the arguments of Sri SIVA RAMA KRISHNA KOLLURU Advocate for the Petitioner, GP for Panchayat Raj, for R1 to R3, GP for Revenue Department for R4, Sri.Y.Koteswara Rao, Standing counsel for R5 directed issue of notice to the Respondents herein to show cause as to why this WRIT PETITION should not be admitted.

You viz:

1. The Principal Secretary, State of Andhra Pradesh, Panchayat Raj and Rural Development Department, Secretariat Buildings, Amaravati, Guntur District.

2. The District Collector, Collectorate Compound, Rajamahendravaram, East Godavari District.
3. The District Panchayat Officer, Collectorate Compound, Rajamahendravaram, East Godavari District.
4. The Tahsildar, Gopalapuram Mandal, East Godavari District.
5. The Panchayat Secretary, Saggonda Gram Panchayat, Gopavaram Village, Gopalapuram Mandal, East Godavari District.
6. Menni Balayogi, S/o. Late Satyanarayana, R/o.Gopavaram Village, Saggonda Panchayat, Gopalapuram Mandal, East Godavari District.
7. . Menni Sudhakar, S/o.Mohan Rao, R/o.Gopavaram Village, Saggonda Panchayat, Gopalapuram Mandal, East Godavari District

are be and hereby directed to show cause either appearing in person or through an Advocate as to why in the circumstances set out in the petition and the affidavit filed therewith (copy enclosed) this WRIT PETITION should not be admitted on or before 03.03.2026 for which date the case stands posted for hearing.

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 respondents 2 to 5 forthwith stop and prevent any further construction activity of temple in R.S.No. 811 of Gangolu Village, Saggonda Gram Panchayat, Gopalapuram Mandal, East Godavari District, pending disposal of WP No.4032 of 2026, on the file of the High Court.

The Court made the following:

ORDER:

Notice before admission.

Learned Government Pleader for Panchayat Raj and Rural Development takes notice for respondents 1 and 3.

Learned Government Pleader for Revenue takes notice for respondents 2 and 4.

Sri Y.Koteswara Rao, learned standing counsel takes notice for respondent No.5, offers to file vakalat and seeks time to file counter.

Learned counsel for the petitioner is permitted to take out personal notice to respondents 6 and 7 by speed post with acknowledgement due and file proof of service.

The grievance of the petitioner is that respondents 6 and 7 are constructing a Temple in Puntha in R.S.No.811 of Gangolu Village, Saggonda Gram Panchayat, Gopalapuram Mandal, East Godavari District, without obtaining any permission and respondents 2 to 5 are not taking any action.

Sri Chaitanya, learned counsel re presenting Sri Y.Koteswara Rao learned Standing counsel for respondent No.5 submitted the instructions furnished by the Panchayat Secretary, by annexing copies of notices, dated 06.05.2025 issued by Panchayat Secretary of respondent No.5 to respondents 6 and 7.

A perusal of the notice would indicate that respondents 6 and 7 are making construction without any permission and thus, they were directed to stop further construction.

Learned counsel for respondent No.5 would further submit that the construction undertaken by respondents 6 and 7 in survey No.811 is Revenue Poramboke and respondent No.4 is also having control over the said land.

Given the above facts and circumstances of the case, respondents 4 and 5 shall ensure that respondents 6 and 7 do not make any further construction in the aforementioned land without obtaining any permission from the authorities. Respondents 6 and 7 shall not make

further constructions in the subject land, without obtaining permission from the authority.

Post on 03.03.2026.

Sd/-K.Srinivasa Raju,
ASSISTANT REGISTRAR

//TRUE COPY//


SECTION OFFICER

To,

1. The Principal Secretary, State of Andhra Pradesh, Panchayat Raj and Rural Development Department, Secretariat Buildings, Amaravati, Guntur District. (by **Special Messenger** - along with a copy of petition and memorandum of grounds)
2. The District Collector, Collectorate Compound, Rajamahendravaram, East Godavari District.
3. The District Panchayat Officer, Collectorate Compound, Rajamahendravaram, East Godavari District.
4. The Tahsildar, Gopalapuram Mandal, East Godavari District.
5. The Panchayat Secretary, Saggonda Gram Panchayat, Gopavaram Village, Gopalapuram Mandal, East Godavari District.
6. Menni Balayogi, S/o. Late Satyanarayana, R/o.Gopavaram Village, Saggonda Panchayat, Gopalapuram Mandal, East Godavari District.
7. Menni Sudhakar, S/o.Mohan Rao, R/o.Gopavaram Village, Saggonda Panchayat, Gopalapuram Mandal, East Godavari District (addressee 2 to 7 by **RPAD**- along with a copy of petition and memorandum of grounds)
8. One CC to SRI. SIVA RAMA KRISHNA KOLLURU Advocate [OPUC]
9. Two CCs to GP FOR PANCHAYAT RAJ RURAL DEV, High Court Of Andhra Pradesh. [OUT]
10. Two CCs to GP FOR Revenue Department, High Court Of Andhra Pradesh. [OUT]
11. One CC to Sri.Y.Koteswara Rao, Standing counsel [OPUC]
12. One spare copy

HIGH COURT

SRS,J

DATED:11/02/2026

POST ON 03.03.2026

NOTICE BEFORE ADMISSION

WP.No.4032 of 2026

DIRECTION

