

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

TUESDAY, THE EIGHTEENTH DAY OF MARCH

TWO THOUSAND AND TWENTY FIVE

:PRESENT:

HONOURABLE SRI JUSTICE GANNAMANENI RAMAKRISHNA PRASAD

WRIT PETITION NO: 6627 OF 2025



Between:

Kunchala Veera Brahmaiah, S/o KVeeraiah, Aged about 47 years, Cooli, R/o D.No.8-145, Vadderapalem, Near Water Tank, Santhanuthalapadu, Prakasam District.

...Petitioner

AND

1. The State of Andhra Pradesh, represented by its Principal Secretary, Panchayat Raj and Rural Development Department, Secretariat, Velagapudi, Guntur District.
2. The District Collector and District Magistrate, Prakasam District, Ongole.
3. The District Panchayat Officer, Prakasam District, Ongole.
4. The Santhanuthalapadu Gram Panchayat, Rep. by its Secretary, Santhanuthalapadu Village, Santhanuthalapadu Mandal, Prakasam District.

...Respondents

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, especially one in the nature of Writ of Mandamus, declaring the action of the 4th Respondent Gram Panchayat in not handing over the leased lands i.e land to admeasuring 116gadulu i.e Ac.0.193.cts in S.No.997/1, 75gadulu i.e Ac.0.125.cts in S.No.997/1 and 160gadulu i.e Ac.0.266.cts in S.No.1187, the total extent of land is 351gadulu i.e Ac.0.585.cts, Santhanuthalapadu Village and Mandal, Prakasam District, in

spite of execution of lease deed, dt.05- 10-2024 in favour of the petitioner, is illegal, arbitrary, contrary to the provisions of A.P Panchayat Raj Act, 1994 and the rules made their under and also Arts 14, 19(g), of the Constitution of India and consequently direct the 4th respondent Gram Panchayat to hand over the leased land stated supra forthwith to the petitioner.

IA NO: 1 OF 2025

Petition under Section 151 of 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 4th Respondent Gram Panchayat to consider the petitioner representation dt.01-03-2025, by handing over the leased lands i.e land to admeasuring 116 gadulu i.e Ac.0.193.cts in S.No.997/1, 75gadulu i.e Ac.0.125.cts in S.No.997/1 and 160 gadulu i.e. Ac.0.266.cts in S.No.1187, the total extent of land is 351gadulu i.e Ac.0.585.cts of Santhanuthalapadu Village and Mandal, Prakasam District, Pending disposal of WP 6627 of 2025, 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 T V JAGGI REDDY, Advocate for the Petitioner, and of GP FOR PANCHAYAT RAJ RURAL DEV, for the Respondent Nos.1 to 3, and of SRI M.SUDHIR, Standing Counsel for the Respondent No.4, the Court made the following

ORDER:

Heard Sri T.V. Jaggi Reddy, learned Counsel for the Writ Petitioner and Sri Surampudi Hruthik, learned Counsel appearing on behalf of Sri Sudhir Mattegunta, learned Standing Counsel for Gram Panchayat and Sri Panku Rajesh Kumar, learned Assistant Government Pleader for Panchayat Raj.

2. It transpires from the record that Lease Agreement has been executed by the Panchayat Secretary, Santhanuthalapadu, Prakasam

District, in favour of the Writ Petitioner for a period of five years. It appears that this Lease Agreement has not been registered.

3. In this view of the matter, there shall be a direction to the Panchayat Secretary to furnish the information by way of Written Instructions whether the Panchayat has called for competitive bidding from public since the land that is sought to be given on lease to the Writ Petitioner is a public land.

4. List the matter on 27.03.2025 in the 'Motion List'.

Sd/-K.KASIRAO ACHARI
ASSISTANT REGISTRAR

//TRUE COPY//


SECTION OFFICER

To,

1. The Principal Secretary, Panchayat Raj and Rural Development Department, State of Andhra Pradesh, Secretariat, Velagapudi, Guntur District. **(by Special Messenger)**
2. The District Collector and District Magistrate, Prakasam District, Ongole.
3. The District Panchayat Officer, Prakasam District, Ongole.
(Addressees 2 & 3 by RPAD)
4. The Secretary, Santhanuthalapadu Gram Panchayat, Santhanuthalapadu Village, Santhanuthalapadu Mandal, Prakasam District. **(by Speed Post)**
5. One CC to SRI. T V JAGGI REDDY Advocate [OPUC]
6. Two CCs to GP FOR PANCHAYAT RAJ RURAL DEV ,High Court Of Andhra Pradesh. [OUT]
7. One CC to SRI M.SUDHIR, Standing Counsel [OPUC]
8. **One spare copy**

PSR

HIGH COURT

GRKP,J

DATED:18/03/2025

NOTE: List the matter on 27.03.2025 in the 'Motion List'.

ORDER

WP.No.6627 of 2025

INTERIM DIRECTION

