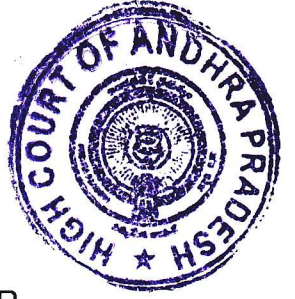




IN THE HIGH COURT OF ANDHRA PRADESH
AT AMARAVATI
(Special Original Jurisdiction)



THURSDAY, THE TWENTY FIFTH DAY OF SEPTEMBER
TWO THOUSAND AND TWENTY FIVE

PRESENT

THE HONOURABLE SRI JUSTICE VENKATESWARLU NIMMAGADDA

WRIT PETITION NO: 6627 OF 2025

Between:

Kunchala Veera Brahmaiah, S/o K.Veeraiah, 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 Panchyat 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 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 4th Respondent Gram Panchayat to consider the petitioner representation dt.01-03-2025, by 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 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 the above Writ Petition.

Counsel for the Petitioner: SRI T. V. JAGGI REDDY

**Counsel for the Respondent Nos.1 to 3: GP FOR PANCHAYAT RAJ AND
RURAL DEVELOPMENT**

**Counsel for the Respondent No.4:SRI M. SUDHIR, SC FOR Z.P.Ps,
M.P.Ps, GRAM PANCHAYATS**

The Court made the following order:

THE HON'BLE SRI JUSTICE VENKATESWARLU NIMMAGADDA

WRIT PETITION No.6627 OF 2025

ORDER:-

1. The writ petition is filed under Article 226 of the Constitution of India to declare the action of the 4th respondent in not handing over the leased land of an extent of Ac.0.125 cents in Sy.No.997/1 and Ac.0.585 cents in Sy.No.1187 of Santhanuthalapadu village and mandal, Prakasam District, inspite of execution of lease deed dated 05.10.2024 in favour of the petitioner as illegal, arbitrary and consequently direct the 4th respondent to handover the leased land.

2. Learned counsel for the petitioner submits that the petitioner was granted leasehold rights over land measuring Ac.0.125 cents in Sy.No.997/1 and Ac.0.585 cents in Sy.No.1187 of Santhanuthalapadu Village and Mandal, Prakasam District, pursuant to Resolution No.12 dated 05.10.2024 of the Gram Panchayat, whereby the land was leased to the petitioner for a period of five years, at a lease amount of ₹1,000/- per parcel of land. Although the petitioner duly paid the lease amounts, which were accepted by the 4th respondent, the possession of the subject land has not been handed over to the petitioner, allegedly due to one

reason or another. Aggrieved by this inaction, the petitioner has filed the present writ petition.

3. Learned Standing Counsel for the Santhanuthalapadu Gram Panchayat submitted written instructions issued by the Panchayat Secretary, wherein it is stated that the Gram Panchayat passed Resolution No.12 dated 05.10.2024, resolving to hand over the leased land to the petitioner in accordance with the terms of lease deed executed between the petitioner and the Gram Panchayat. Considering the statement of executive authority for readiness to implement Resolution No.12, the learned Standing Counsel requested to close the writ petition.

4. Considering the submissions made by learned counsel for the petitioner, learned Standing Counsel for the Gram Panchayat and on perusal of the material available on record, the fact remains that, the 4th respondent gram panchayat passed a Resolution No.12 dated 05.10.2024, granting lease over the subject property for a period of five years. The same was also accepted by the petitioner and the petitioner paid Rs.30,000/- to the gram panchayat as security deposit on the same date of passing resolution i.e. 05.10.2024. In view of the instructions

submitted by the 4th respondent gram panchayat that the gram panchayat is going to hand over the subject property to the petitioner in terms of the resolution dated 05.10.2024, this Court deems it appropriate to direct the 4th respondent – Gram Panchayat to handover the subject land to the petitioner, pursuant to the resolution dated 05.10.2024, within a period of four weeks from the date of receipt of copy of this order.

5. With the above direction, writ petition is disposed of.

6. Consequently, miscellaneous applications pending if any, shall stand closed.

//TRUE COPY//

Sd/- M PRABHAKAR RAO
DEPUTY REGISTRAR


SECTION OFFICER

To,

1. The Principal Secretary, Panchayat Raj and Rural Development Department, State of Andhra Pradesh, Secretariat, Velagapudi, Guntur District.
2. The District Collector and District Magistrate, Prakasam District, Ongole.
3. The District Panchayat Officer, Prakasam District, Ongole.
4. The Secretary, Santhanuthalapadu Village, Santhanuthalapadu Gram Panchayat, Santhanuthalapadu Mandal, Prakasam District.
5. One CC to Sri T. V. Jaggi Reddy, Advocate [OPUC]
6. One CC to Sri M. Sudhir, SC for ZPP, MPP & Gram Panchayat[OPUC]
7. Two CCs to GP for Panchayat Raj Rural Development, High Court of Andhra Pradesh [OUT]
8. Two CD Copies.

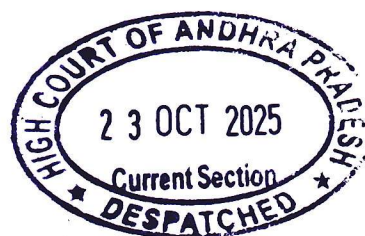
ssb

HIGH COURT

DATED:25/09/2025

ORDER

WP No. 6627 OF 2025



DISPOSING OF THE W.P. WITHOUT COSTS