

[3504]

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

**FRIDAY, THE FIRST DAY OF MAY
TWO THOUSAND AND TWENTY SIX**

:PRESENT:

THE HONOURABLE SRI JUSTICE MAHESWARA RAO KUNCHEAM

WRIT PETITION NO: 7130 OF 2026



Between:

Polepallli Veera Venkata Satyanarayana Chari, S/o. Satyanarayana Chari, Aged about 49 years, Occ: Carpenter, R/o. 4 - 814, Podhili Road, Darsi, Prakasam District, Andhra Pradesh.

Petitioner

AND

1. The State of Andhra Pradesh, Rep. by its Principal Secretary - Revenue Department, Secretariat, Velagapudi, Guntur District.
2. The State of Andhra Pradesh, Rep. by its Special Chief Secretary - Energy Department, Secretariat, Velagapudi, Guntur District.
3. The District Collector, Prakasam Bhavan, Collectorate Office, 1st Floor, Trunk Road, Santhapet, Ongole, Prakasam District, Andhra Pradesh.
4. The Revenue Divisional Officer (RDO), RDO Office, Kanigiri, Prakasam District, Andhra Pradesh.
5. The Tahsildar, Tahsildar Officer, Near Police Station, Darsi, Prakasam District, Andhra Pradesh.
6. The Superintending Engineer (S.E), APCPDCL SE Office, 1st Lane, Ram Nagar, Annavarappadu Colony, Ongole, Prakasam District, Andhra Pradesh.
7. The Divisional Engineer (D.E), Divisional Electrical Office (Operations), Podhili Road, Gandhi Nagar, Darsi, Prakasam District, Andhra Pradesh.

8. The Assistant Executive Engineer (A.E.E), Addanki Road, Near N.S.P Colony APCPDCL, Main Road, Darsi, Prakasam District, Andhra Pradesh.
9. Darsi Municipality, Rep. by its Municipal Commissioner Municipal Office, Darsi, Prakasam District, Andhra Pradesh.

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 of Mandamus, or any other appropriate writ, order or direction, declaring the action of the respondents 2, 6, 7 and 8 for constructing a Current Office Building in Petitioners land in Sy. Nos. 914 and 927/1 with an extent of Ac.5-04 cents, and also the action of Respondents 3, 4, 5 and 9 in permitting the Respondents 2, 6, 7 and 8 for constructing a Current Office Building in Petitioners land in Darsi, Prakasam District without following due process of law, as illegal, arbitrary and violation of Articles 14, 21 & 300-A of the Constitution of India.

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 grant interim direction, directing the respondents not to proceed with the construction of Current Office Building, in the Petitioners land in Sy. Nos. 914 and 927/1 with an extent of Ac.5-04 cents, Darsi, Prakasam District, Pending disposal of WP 7130 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 the order of the High Court dated:13.03.2026 and upon hearing the arguments of Sri Rajulapati Praveen Kumar, Advocate for the Petitioner, GP FOR REVENUE for the Respondent Nos.1 & 3 to 5; GP for Energy for the Respondent No.2; Sri V.V. Satish, Standing Counsel for the Respondent Nos.6 to 8; Sri Gudapati Lakshmi

Narayana, Standing Counsel for the Respondent No.9, the Court made the following.

ORDER:

The submission of the learned counsel for the petitioner, in a nutshell, is that the APCPDCL authorities have highhandedly visited the subject land of the petitioner and started measuring the land for the construction of the electric pole without any intimation. Hence, the writ petition is filed.

2. Learned Standing Counsel for the respondent Corporation submits that the petitioner is not in occupation of the subject land and, in fact, from the year 1996 onwards, the subject land is in possession and enjoyment of the concerned, then APCPDCL authorities.

3. He also submits that presently, the subject property is under the possession and enjoyment of the APCPDCL authorities, wherein the 33 KV substation also existing and also other incidental infrastructure spread over at the subject premises.

4. Learned Standing Counsel also submits that the petitioner suppressed the material facts; as such, the very case of the petitioner comes under the purview of "*suppressio falsi expressio veri* " i.e., suppression of truth and the writ petition is not maintainable.

5. In view of the rival submissions made by the respective counsel in the interest of justice, this Court deems it appropriate to direct the 4th respondent to personally inspect the subject site with the assistance of concerned revenue survey officials by using sophisticated methodology in the presence of all the respective parties and submit comprehensive report by next date of listing.

6. Learned counsel for the petitioner undertakes to present and assist the 4th respondent.

7. List on 17.06.2026.

8. This Court has come across several writ petitions where the electricity DISCOMs are constructing electricity infrastructure buildings,

etc., in the lands classified as water bodies, which leads to multifarious problems not only to the respondent Corporation, but also to the public at large, and also greatly affects the public exchequer. Further, it may lead to disastrous consequences too.

9. Hence, in view of the aforesaid view, the 2nd respondent is directed to file all the relevant details as to how many electricity infrastructural buildings, etc., exist in the lands classified as water bodies, water buffer zones, etc., and also submit what are the Standard Operation Procedures (SOP) are being followed by all the DISCOMS before raising electricity infrastructural buildings, i.e., electrical substations, etc., i.e., pre-requisite permissions from the civic authorities across the State of Andhra Pradesh maintained by all the DISCOMS.

SD/- T.SRINIVASA RAO
ASSISTANT REGISTRAR



SECTION OFFICER

//TRUE COPY//

To,

1. The Special Chief Secretary - Energy Department, The State of Andhra Pradesh, Secretariat, Velagapudi, Guntur District. [By Special Messenger]
2. One CC to SRI. Rajulapati Praveen Kumar Advocate [OPUC]
3. One CC to Sri V.V. Satish, Standing Counsel [OPUC]
4. One CC to Sri Gudapati Lakshmi Narayana, Standing Counsel [OPUC]
5. Two CCs to GP FOR REVENUE, High Court Of Andhra Pradesh. [OUT]
6. Two CCs to GP FOR ENERGY, High Court Of Andhra Pradesh. [OUT]
7. One spare copy

HIGH COURT

MRK,J

DATED:01.05.2026

LIST ON 17.06.2026

ORDER

WP.No.7130 of 2026



DIRECTION