

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

FRIDAY, THE TWENTY EIGHTH DAY OF MARCH

TWO THOUSAND AND TWENTY FIVE

:PRESENT:

THE HONOURABLE SRI JUSTICE GANNAMANENI RAMAKRISHNA PRASAD

WRIT PETITION NO: 8160 OF 2025

Between:

1. Bapatla Educational Society, Rep by its President, Muppalaneni Srinivasa Rao, S/o. Late Seshagiri Rao, Mahatmajipuram, Bapatla, Bapatla District.
2. Bapatla Engineering College, Rep.by its Principal, N.Rama Devi G.B.C. Road, Mahatmajipuram, Bapatla, Bapatla District.

...Petitioners

AND

1. The State of Andhra Pradesh, Rep. by its Prl. Secretary, Panchayat Raj Department, Secretariat, Velagapudi, Guntur district.
2. The District Collector, Bapatla, Bapatla District
3. The District Panchayat Officer, Bapatla, Bapatla District
4. The Divisional Panchayat Officer, Bapatla, Bapatla District
5. The West Bapatla Gram Panchayat, Rep by its Secretary, Bapatla, Bapatla 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 any writ, order or direction more particularly one in the nature of writ of Mandamus declaring the action of the Respondent No.5 in issuing proceedings vide R.O.C. No. 12/2022, dt. 19.10.2023 and consequential notice bearing R.O.C. No.12/2022 dt.19.03.2025 at the instance of Respondent Nos. 1 to 4 as illegal and it is beyond the powers conferred under

the provisions of A.P. Panchayat Raj Act, 1994 and rules made thereunder, and Consequently set-aside the order passed by the 5th respondent vide R.O.C. No.12/2022 dt. 19.10.2023 and consequential notice vide R.O.C. No.12/2022 dt.19.03.2025.

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 suspend the proceedings issued by the Respondent No.5 vide R.O.C. No. 12/2022 dt. 19.10.2023 and consequential notice vide R.O.C. No. 12/2022 dt. 19.03.2025, Pending disposal of WP 8160 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 DEVI PRASAD MANGALAPURI, Advocate for the Petitioners, and of GP FOR PANCHAYAT RAJ RURAL DEV, for the Respondent Nos.1 to 4, and of SRI M.SUDHIR, Standing Counsel for the Respondent No.5, the Court made the following

ORDER:

Heard Sri N. Subba Rao, learned Senior Counsel appearing on behalf of Sri Devi Prasad Mangalapuri, learned Counsel for the Writ Petitioners, Sri Panku Rajesh Kumar, learned Assistant Government Pleader for Panchayat Raj for Respondent Nos.3 & 4 and Sri Vidya Sagar, learned Counsel appearing on behalf of Sri Sudhir Mattegunta, learned Standing Counsel for Gram Panchayat for Respondent No.5.

2. Sri Panku Rajesh Kumar, learned Assistant Government Pleader for Respondent Nos. 3 and 4, and Sri Vidya Sagar, learned Counsel appearing for Respondent No. 5, are directed to obtain Written

Instructions whether the statutory mandate prescribed under Section 61 of the Panchayat Raj Act and the procedure set out in G.O.Ms.No.30, dated 20.01.1995, have been followed by the Official Respondents or not.

3. There shall be a direction not to initiate any coercive steps until the next listing.

4. List the matter on 08.04.2025 in the 'Motion list'.

Sd/- M. PRABAKAR RAO
ASSISTANT REGISTRAR

//TRUE COPY//

SECTION OFFICER

For A

To,

1. The Principal Secretary, Panchayat Raj Department, State of Andhra Pradesh, Secretariat, Velagapudi, Guntur district. (by Special Messenger)
2. The District Collector, Bapatla, Bapatla District
3. The District Panchayat Officer, Bapatla, Bapatla District
4. The Divisional Panchayat Officer, Bapatla, Bapatla District
5. The Secretary, West Bapatla Gram Panchayat, Bapatla, Bapatla District. (Addressees 2 to 5 by RPAD)
6. One CC to SRI. DEVI PRASAD MANGALAPURI Advocate [OPUC]
7. Two CCs to GP FOR PANCHAYAT RAJ RURAL DEV, High Court of Andhra Pradesh. [OUT]
8. One CC to SRI M.SUDHIR, Standing Counsel [OPUC]
9. One spare copy

PSR

HIGH COURT

GRKP,J

DATED:28/03/2025

NOTE: List the matter on 08.04.2025 in the 'Motion list'.

ORDER

WP.No.8160 of 2025

INTERIM DIRECTION

