

IN THE HIGH COURT OF ANDHRA PRADESH AT AMARAVATI

TUESDAY, THE TWENTIETH DAY OF JANUARY

TWO THOUSAND AND TWENTY SIX

:PRESENT:

THE HONOURABLE SRI JUSTICE RAVI CHEEMALAPATI

WRIT PETITION NOS: 10552 OF 2025, 9990 OF 2021 &

CONTEMPT CASE NO.177 OF 2022



W.P.NO.10552 OF 2025

Between:

Dr. B.R.Ambedkar Memorial Trust, Rep. by its President Gude Shyamala Devi, D/o. Venkateswara Rao, Age: 42 Years, Occu: Social Worker, R/o. D.No.8-18, Ambedkar Bhjavan, Nallajerla Village, East Godavari District, A.P.

...Petitioner

AND

1. The State of Andhra Pradesh, Rep. by its., Principal Secretary, (Panchayat Raj Department) Secretariat, Velagapudi, Amaravathi.
2. The District Collector, East Godavari District, Rajamahendravaram, A.P.
3. The District Panchayat Officer, East Godavari District, Rajamahendravaram, A.P.
4. The Tahsildar, Devarapalli Mandal, East Godavari, A.P.
5. The Panchayat Secretary, Krishnampalem Village, Devarapalli Mandal, East Godavari District, A.P.
6. Bikkina Rama Durga Prasad, S/o. B. Subbarao, Age: 64 Years, Occu: Business, R/o. H.No.2-27, Krishnampalem Village, Devarapalli Mandal, East Godavari 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 an appropriate Writ, order or direction more particularly one

in the nature of WRIT OF MANDAMUS to declare the action of the 5th respondent trying to dispose the petitioners from their Old age home erected a temporary shed in Sy No.775 of Krishnampalem Village, Devarapalli Mandal of East Godavari District, without conducting survey or approval, resolution of the Gram Panchayat and without following procedure prescribed by the law illegally Passed Order Vide Order No.08/2025, dt. 08-04-2025 to remove the erected a temporary shed old age home of the petitioner for being illegal arbitrary violative personal life and liberty, against the principles of natural justice and consequently direct the respondents No. 1 to 5 not to Interfere with the possession of the petitioners over their old age home erected shed to an extent of Land Ac. 0.15 cts, out of Sy No.775 of Krishnampalem village, Devarapalli Mandal of East Godavari District and not to dispossess the Petitioner without following due process of law or Jurisdiction by threatening as illegal, arbitrary against violative of principles of natural justice.

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 respondents 1 to 5 not to Interfere with the possession of the petitioners over their old age home erected shed in Sy No. 775 of Krishnampalem Village, Devarapalli Mandal of East Godavari District and not to dispossess the Petitioner without following due process of law, pending disposal of WP 10552 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 the order of the High Court dated 24.04.2025, 15.07.2025, 28.08.2025, 18.09.2025 & 09.10.2025 made herein and upon hearing the arguments of Sri Boda Rakesh Naik, Advocate for the Petitioner and of GP FOR PANCHAYAT RAJ RURAL DEV for Respondent Nos. 1 and 3 and of GP for Revenue for Respondent Nos. 2 and 4 and of Sri Y.Koteswara Rao, Standing Counsel for Respondent No.5.

WRIT PETITION NO: 9990 OF 2021

Between:

Bikkina Rama Durga Prasad, S/o B.Subbarao, age about 61 years, Occ: Cultivation, R/o H.No.2-27, Krishnampalem Village, Devarapalli Mandal, West Godavari District.

...Petitioner

AND

1. The State of Andhra Pradesh, Rep. by its Principal Secretary, Panchayatraj & Rural Department, Secretariat Buildings, Velagapudi, Amaravathi.
2. The District Collector, (Panchayatraj), West Godavari District at Eluru.
3. The Tahsildar, Devarapalli Mandal, West Godavari District.
4. The Mandal Development Officer, Devarapalli Mandal, West Godavari District.
5. The Krishnampalem Gram Panchayat, Rep. by its Secretary/Executive Officer, Krishnampalem, Devarapalli Mandal, West Godavari District.
6. Smt.G.Shyamala Devi, W/o not known to the petitioner, age major, Occ: Chair Person, Ambedkar Trust, R/o Krishnampalem Village, Devarapalli Mandal, West Godavari District.
7. Sri Sattiganga Jagadeeswar Reddy, S/o Subbi Reddy, age 47 years, Occ: Cultivation, R/o Krishnampalem Village, Devarapalli Mandal, West Godavari District.

...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 an appropriate Writ, Order or direction more particularly one in the nature of Writ of Mandamus declaring the inaction of the respondents in safeguard the interest of the subject property to an extent of Ac.01-58 cents in Sy.No.775, which is known as Yerrakunta cheruvu, situated at Krishnampalem Village, Devarapalli Mandal, West Godavari district and initiating appropriate action against the unofficial respondents, who are trying

to raise the construction in the name of old age home, as illegal, arbitrary and violation of principles of natural justice and consequently direct the official respondents to safeguard the interest of the subject property to an extent of Ac.01-58 cents in Sy.No.775, which is known as Yerrakunta cheruvu, situated at Krishnampalem Village, Devarapalli Mandal, West Godavari district and further direct the official respondents to initiate appropriate action against the unofficial respondents not to raise any construction in the subject property.

IA NO: 1 OF 2021

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 official respondents to restrain the unofficial respondents from raising any construction in the subject property to an extent of Ac.01-58 cents in Sy.No.775, which is known as Yerrakunta cheruvu, situated at Krishnampalem Village, Devarapalli Mandal, West Godavari district, pending disposal of WP 9990 of 2021, 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 orders of the High Court dated 17.05.2021 & 20.05.2021 made herein and upon hearing the arguments of Sri K.V.L.Narasimha Rao, Advocate for the Petitioner and of GP FOR PANCHAYAT RAJ RURAL DEV for Respondent Nos. 1 and 4 and of Sri I.Koti Reddy, Standing Counsel for Respondent No.5.

CONTEMPT CASE NO: 177 OF 2022

Between:

Bikkina Rama Durga Prasad, S/o B.Subbarao, age about 61 years, Occ: Cultivation, R/o H.No.2-27, Krishnampalem Village, Devarapalli Mandal, West Godavari District.

...Petitioner

AND

1. Sri Gopal Krishna Dwivedi, Principal Secretary, Panchayatraj and Rural Department, State of Andhra Pradesh, 5th Block, Ground Floor, Room No.107, Secretariat Buildings, Velagapudi, Amaravathi. (Discharged)
(R-1 is discharged as per Court Order dated 11-12-2025 in C.C.No.177 of 2022)
2. Sri Kartikeya Misra, District Collector (Panchayatraj), West Godavari District at Eluru.
3. Sri M.Ramakrishna, S/o Lakshmana Rao, age 50 years, Tahsildar, Devarapalli Mandal, West Godavari District.
4. Sri Uma Maheswara Sarma, Mandal Development Officer, Devarapalli Mandal, West Godavari District.
5. Sri Dasari Mutyam, Secretary/Executive Officer, Krishnampalem Gram Panchayat, Devarapalli Mandal, West Godavari District.

...Respondents

WHEREAS the Petitioner has presented under Sections 10 to 12 of the Contempt of Courts Act 1971, the above case through his counsel Sri K.V.L.Narasimha Rao, praying the High Court to punish the respondents herein for their willful and deliberate disobedience of the orders passed in W.P.No.9990 of 2021 dated 20.05.2021;

WHEREAS the said case coming on for hearing on this day and whereas the High Court upon perusing the affidavit filed herein and the orders of High Court dated 02.02.2022 & 27.11.2025 made herein and upon hearing the arguments of Sri K.V.L.Narasimha Rao, Advocate for the Petitioner and of Sri Kiran Kumar Vadlamudi, Advocate for Respondent Nos. 1 and 2 and of Sri P.Subash, Advocate for Respondent No.3 and of Sri I.Koti Reddy, Advocate for Respondent Nos. 4 and 5, made the following

ORDER:

"It is brought to the notice of this Court that the advocate on record has met with an accident and sought time.

Respondent Nos.3 to 5 appeared physically before this Court.

The 3rd respondent Tahsildar and the 4th respondent MPDO submitted that they retired from the service and requested to dispense with their appearance.

Post on 17.02.2026.

The appearance of the 3rd & 4th respondents is dispensed with for the time being subject to condition has they shall appear before this Court as and when this Court directs them to appear."

SD/- K.TATA RAO
DEPUTY REGISTRAR

//TRUE COPY//


SECTION OFFICER

To,

1. Sri M.Ramakrishna, S/o Lakshmana Rao, age 50 years, Tahsildar, Devarapalli Mandal, West Godavari District.
2. Sri Uma Maheswara Sarma, Mandal Development Officer, Devarapalli Mandal, West Godavari District.(Addressee Nos. 1 and 2 by RPAD)
3. One CC to Sri Boda Rakesh Naik, Advocate [OPUC]
4. One CC to Sri Y.Koteswara Rao, Standing Counsel [OPUC]
5. One CC to Sri K.V.L.Narasimha Rao, Advocate [OPUC]
6. One CC to Sri I.Koti Reddy, Standing Counsel[OPUC]
7. One CC to Sri Kiran Kumar Vadlamudi, Advocate[OPUC]
8. One CC to Sri P.Subash, 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, High Court of Andhra Pradesh. [OUT]
11. One spare copy.

PSD

HIGH COURT

RC,J

DATE:20/01/2026

NOTE: POST ON 17.02.2026

ORDER

**WP.Nos.10552 of 2025, 9990 of 2021
& C.C.NO.177 OF 2022**

DISPENSED WITH

