



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

[3327]

MONDAY, THE 20th DAY OF JULY 2026

PRESENT

THE HONOURABLE SRI JUSTICE K SREENIVASA REDDY

WRIT PETITION NO: 10888/2026

Between:

1.SREE RAMAKRISHNA NAGAR PLOTS OWNERS WELFARE ASSOCIATION, REPRESENTED BY THE SECRETARY, TVENKATARAMANA, S/O.AKULAPPA, AGED ABOUT 73 YEARS, RESIDING AT PLOT NO. 140, ROAD NO.1, DEVATHA NAGAR, PRESENTLY AT DOOR NO. 15-59-1, SREERAMULU STREET, MADANAPALLE, ANNAMAYYA DISTRICT.PIN 517 325.

...PETITIONER

AND

1.THE STATE OF ANDHRA PRADESH, REPRESENTED BY ITS SPECIAL CHIEF SECRETARY, DEPARTMENT OF PANCHYAT RAJ AND RURAL DEPARTMENT, SECRETARIAT BUILDINGS, VELAGAPUDI GUNTUR DISTRICT.

2.THE DISTRICT COLLECTOR, , MADANAPALLE, ANNAMAYA DISTRICT

3.THE DISTRICT PANCHAYAT OFFICER, MADANAPALLE, ANNAMAYA DISTRICT.

4.THE THATTIVARIPALLE GRAMAPANCHAYAT, REP. BY THE PANCHAYATH SECRETARY, VENKAPPAKOTA SACHIVALAYAM, MADANAPALLE MANDAL, ANNAMAYA DISTRICT.

5.THUMMALA MADHAVI, W/O T.PRATHAP REDDY, AGED ABOUT 57 YEARS, RESIDING AT BESIDES D.NO.474-3, 1ST FLOOR, ROAD NO.4,VIVEKA NAGAR, MADANAPALLE - 517 325, ANNAMAYYA DISTRICT.CELL NO.9490504049

...RESPONDENT(S):

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 order, writ or direction, more particularly one in the nature of Writ of Mandamus declaring the inaction of the 4th respondent herein in not taking action on the petitioners representation dated 10.01.2026 (endorsed by the respondent on 12.01.2026) against the unauthorised constructions made by the respondent in violation of the plan approved by the 4th respondent as arbitrary, illegal, unconstitutional, and contrary to the provisions of The Andhra Pradesh Panchayat Raj Act, 1994 and A.P Gram Panchayat land Development (Layout and Building) Rules, 2002 and violation of Articles 14 and 300-A of constitution of India and consequently direct the 4th respondent to demolish the unauthorised construction being made by the 5th respondent in plot No. 89 of Sree Ramakrishna Nagar Plots Owners Welfare Association in Sy. No. 84 of Basinikonda Village, Madanapalle Mandal, Annamaya District and pass such

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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 may direct 4th respondent not to permit the 5th respondent to proceed with the construction in plot No. 89 of Sree Ramakrishna Nagar Plots Owners Welfare Association situate in Sy. No. 84 of Basinikonda Village, Madanapalle Mandal, Annamaya District, pending disposal of the present writ petition before this Hon'ble Court.

Counsel for the Petitioner:

1.CHAKANA NEERAJ MURTHY

Counsel for the Respondent(S):

1.GP FOR PANCHAYAT RAJ RURAL DEV

2.A SYAM SUNDAR REDDY

The Court made the following:**ORDER:-**

This Writ Petition is filed under Article 226 of the Constitution of India seeking the following prayer:

“...to issue an order, writ or direction, more particularly one in the nature of Writ of Mandamus declaring the inaction of the 4th respondent herein in not taking action on the petitioner’s representation dated 10.01.2026 (endorsed by the 4th respondent on 12.01.2026) against the unauthorised constructions made by the 5th respondent in violation of the plan approved by the 4th respondent as arbitrary, illegal, unconstitutional, and contrary to the provisions of The Andhra Pradesh Panchayat Raj Act, 1994 and A.P Gram Panchayat land Development (Layout and Building) Rules, 2002 and violation of Articles 14 and 300-A of Constitution of India and consequently direct the 4th respondent to demolish the unauthorised construction being made by the 5th respondent in plot No. 89 of Sree Ramakrishna Nagar Plots Owners Welfare Association in Sy. No. 84 of Basinikonda Village, Madanapalle Mandal, Annamaya District and pass such...”

2. Case of the petitioner, in brief, is that the Madanapalle Cooperative Building Society is the absolute owner and possessor of land admeasuring Ac.12.35 cents situated in Survey No.84 of Basinikinda Village, Madanapalle Mandal. The Society, which was duly registered, formed a layout in the entire extent by laying out 157 plots. The owners of the plots formed an association in the name and style of “Sree Ramakrishna Nagar Plots Owners Welfare Association”, of which the husband of 5th respondent is one of the executive members. While forming the layout, small extents of land were kept vacant without assigning any plot numbers, which were intended for communal activities of the plot owners. The respondent No.5 purchased Plot No.89 admeasuring 266.66 Sq. Yards. On the southern side of the row comprising Plot Nos.83 to 89, there exists vacant land measuring 840 Sq. feet, which is

not shown in the layout plan. The respondent No.5, being the owner of plot No.89, attempted to encroach upon plot No.88. Consequently, the association and the owner of plot No.88 filed O.S.Nos.673 of 2025 and 841 of 2025 respectively, both on the file of the Principal Civil Judge (Junior Division), Madanapalle, and the said suits are pending. Thereafter, 5th respondent started construction of a house on the basis of the approved plan issued by the Panchayat Secretary vide Resolution No.482 dated 27.11.2024. However, the construction undertaken by 5th respondent is not in accordance with the said plan. The respondent No.5 has encroached upon plot No.88 in violation of the building permission. By virtue of such encroachment, the owners of plot Nos.83 to 88 are likely to lose portions of their respective plots. Taking advantage of the absence of plot owners residing in the layout, 5th respondent and her family members are trying to encroach upon the open spaces belonging to the society, which are meant for communal purposes.

Aggrieved by the illegal construction undertaken by 5th respondent, the petitioner submitted a representation to 4th respondent on 10.01.2026, requesting to conduct a physical inspection in respect of the constructions made by 5th respondent in plot No.89 with reference to the approved plan and to take necessary action. Even after submitting the detailed representation with all the necessary facts, 4th respondent has not taken any action till date. Aggrieved by the same, the petitioner has filed the present Writ Petition.

3. Heard. Perused the record.

4. Learned counsel for the petitioner submits that, under the provisions of Andhra Pradesh Panchayat Raj Act, 1994 read with Andhra Pradesh Gram Panchayat Land Development (Layout and Building) Rules, 2002, the Panchayat Secretary has the authority to inspect, monitor and take action in respect of unauthorized developments and violations of building permissions. Therefore, it is incumbent upon 4th respondent to take necessary action against the illegal construction made in violation of the approved plan issued by the Panchayat Secretary. He further submits that, despite receiving the representation submitted by the petitioner herein, 4th respondent has failed to take any action till date.

5. Therefore, in view of the submissions made by the learned counsel for the petitioner and without going into the merits of the case, this Writ Petition is disposed of, at the stage of admission, directing the respondent authorities to dispose of the representation dated 10.01.2026 submitted by the petitioner, which was endorsed by 4th respondent on 12.01.2026, in accordance with law, within a period of six (6) weeks from the date of receipt of a copy of this order. There shall be no order as to costs.

As a sequel thereto, the miscellaneous applications, if any, pending in the Writ Petition shall stand closed.

JUSTICE K.SREENIVASA REDDY

Date: 20.07.2026

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HON'BLE SRI JUSTICE K.SREENIVASA REDDY

Writ Petition No.10888 of 2026

Date: 20.07.2026

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