



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

[3331]

MONDAY, THE TWENTY SEVENTH DAY OF APRIL
TWO THOUSAND AND TWENTY SIX

PRESENT

THE HONOURABLE SRI JUSTICE SUBBA REDDY SATTI

WRIT PETITION NO: 10418/2026

Between:

1. SONTI RAMA MOHANA RAO, , S/O. S. GOPALA KRISHNA PRASAD
AGE. 46 YEARS, OCCUPATION . BUSINESS R/O. 1-2-1, KUDURU,
KONKEPUDI PEDANA, KRISHNA DISTRICT - 521366

...PETITIONER

AND

1. THE STATE OF ANDHRA PRADESH, REP. BY ITS PRINCIPAL
SECRETARY DEPARTMENT OF PANCHAYAT RAJ AND RURAL
DEVELOPMENT DEPARTMENT SECRETARIAT BUILDINGS,
VELAGAPUDI AMARAVATI, GUNTUR DISTRICT - 522239.

2. THE DISTRICT COLLECTOR, MACHILIPATNAM, KRISHNA DISTRICT
- 521002.

3. THE CHIEF EXECUTIVE OFFICER, DISTRICT PRAJA PARISHAD,
MACHILIPATNAM, KRISHNA DISTRICT - 521002.

4. THE MANDAL PARISHAD DEVELOPMENT OFFICER, MANDAL
PRAJA PARISHAD, PEDANA, KRISHNA DISTRICT - 521366.

5. KUDURU GRAM PANCHAYAT, REP. BY ITS SECRETARY PEDANA
MANDAL, KRISHNA DISTRICT - 521366.

6. THE DISTRICT EDUCATIONAL OFFICER, MACHILIPATNAM,
KRISHNA DISTRICT - 521002.

...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 a Writ, Order or direction more particularly one in the nature of WRIT OF MANDAMUS to declare the action of Respondent No.4 and 5 is trying to construct the Mandal Praja Parishad School building in L.P. No. 510, R.S. No. 113-1 in an extents of 0.04 cnts, inspite of constructing new school in same place where old structure exists in L.P. 638, R.S. No. 104 in an extents of 0.10 cents at Kuduru Village, Pedana Mandal, Krishna District is illegal, arbitrary and unlawful and violation of Articles of Indian Constitution and consequently direct the respondent No. 4 and 5 to construct the MPP School in the same old place in L.P. 638, R.S. No. 104 in an extents of 0.10 cents at Kuduru Village, Pedana Mandal, Krishna District and pass

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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 to direct the Respondent No. 4 and 5 not to make any construction new MPP school building L.P. No. 510, R.S. No. 113-1 in an extents of 0.04 cnts in at Kuduru Village, Pedana Mandal, Krishna District, pending disposal of the above writ petition, in the interest of justice and pass

Counsel for the Petitioner:

1.K V ADITYA CHOWDARY

Counsel for the Respondent(S):

1.GP FOR PANCHAYAT RAJ RURAL DEV

2.GP FOR EDUCATION

3.GP FOR REVENUE

The Court made the following:

::ORDER::

The above writ petition was filed to declare the action of the respondents 4 & 6 in attempting to construct the Mandal Praja Parishad School building in L.P.No.510, R.S.No.113-1 in an extent of Ac.0.04 cents, despite the land available in L.P.No.638, R.S.No.104 in an extent of Ac.0.10

cents, at Kuduru Village, Pedana Mandal, Krishna District, as illegal and arbitrary.

2. Heard Sri K.V. Aditya Chowdary, learned counsel for the petitioner, Sri Panuku Rajesh Kumar, learned Assistant Government Pleader for Panchayat Raj appeared for respondent No.1, Ms. Usha, learned Assistant Government Pleader for Revenue appeared for respondent No.2, Sri Chaitanya, learned counsel representing Sri Y. Koteswara Rao, learned Standing Counsel appeared for respondents 4 & 5 and learned Assistant Government Pleader for Education appeared for respondent No.6.

3. Learned counsel for the petitioner would submit that the petitioner is a permanent resident of Kuduru Village. The Mandal Praja Parishad School was constructed on an extent of Ac.0.10 cents in L.P.No.538, R.S.No.104, long back. The structure is in dilapidated condition. Respondent No.3 issued proceedings *vide* Rc.No.1876/2025/P4, dated 23.05.2025 (Ex.P1) and released funds for the construction of the MPP building. Respondent No.5 passed a resolution No.162, dated 25.02.2025, for the construction of a building in L.P.No.510 in R.S.No.113-1 of an extent of Ac.0.04 cents. Thereafter, respondent No.4 passed a resolution No.72, dated 24.02.2026, confirming the resolution passed by the Gram Panchayat. Thereafter, the District Educational Officer, Machilipatnam, issued a letter *vide* Lr.Rc.No.4563/B3/2025, dated 02.01.2026, for the construction of a new school building. Learned counsel would also submit that the petitioner made a complaint in PGRS *vide* grievance No.KRI202602094804, dated 09.02.2026. However, the grievance has not been redressed.

4. Sri Chaitanya, learned counsel appearing for Gram Panchayat, submitted the written instructions of Panchayat Secretary of respondent No.5. As seen from the written instructions, an extent of Ac.0.08 cents in L.P.No.510 in Rs.No.113-1 is identified, and a resolution was passed by Gram Panchayat to construct the school building. The said land is in the midst of the village. Later, the Mandal Parishad Development Officer passed a resolution No.72,

dated 24.02.2026, confirming the resolution passed by the Gram Panchayat. The District Educational Officer, Machilipatnam, issued the proceedings.

5. No doubt, the petitioner made a complaint in PGRS regarding the construction of a school building in LP.No.150 in R.S.No.113-1 of Koduru Village. However, identification of the place to construct the school building was considered by the Gram Panchayat, and the members of the Gram Panchayat passed a resolution, which was then confronted by the Mandal Parishad Development Officer. In fact, the District Educational Officer, Machilipatnam, issued proceedings on 02.01.2026 to take further action.

6. Unless the petitioner demonstrates that the proposed construction is contrary to the public policy or suffers from any legal infirmity or other compelling consideration, while exercising jurisdiction under Article 226 of the Constitution of India, this Court will not interfere with the decision taken by the respondent authorities. In fact, the rough sketch produced before this Court indicates that the distance between the old school building and the proposed construction is approximately 480 mts.,

7. Given the facts and circumstances of the case, this Court does not find any merit in the writ petition, and the same is liable to be dismissed. Accordingly, the Writ Petition is dismissed. However, this order will not preclude the respondent No.2 from looking into the PGRS complaint vide Ex.P4 and pass appropriate orders. No order as to costs.

As a sequel, pending miscellaneous petitions, if any, shall stand closed.

JUSTICE SUBBA REDDY SATTI

Date: 27.04.2026
TVN

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THE HONOURABLE SRI JUSTICE SUBBA REDDY SATTI

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Date: 27.04.2026
TVN