



**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: 10840/2026

Between:

1. BONDANABOINA NAGESWARARAO @ VEERA NAGESWARARAO,,
S/O. SAMBAIAH, AGED 52 YEARS, R/O. 118-10-983, FLAT NO. 301,
SRI KALYAN RAM, TOWERS, SIRA RAMA TOWN SHIP, ANKIREDDY
PALEM, NALLAPADU, GUNTUR DISTRICT.

...PETITIONER

AND

1. THE STATE OF ANDHRA PRADESH, REP. BY ITS PRINCIPAL
SECRETARY TO GOVERNMENT, PANCHAYAT RAJ, VELAGAPUDI,
AMARAVATI, GUNTUR DISTRICT-52237.
2. THE PENUGUDURUPADU GRAMAPANCHAYAT, REP. BY ITS
SECRETARY, CHUNDURU MANDAL, BAPATIA DISTRICT.

...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 appropriate writ or order or a direction more particularly one in the nature of writ of MANDAMUS declaring the action of the 2nd respondent to give notice by giving reasonable opportunity by following due procedure established by law which is illegal, arbitrary and violative of Articles 14, 21 and 300-A of the Constitution of India and also violative of principles of natural justice and violation of the provisions of Panchayat Raj Act and the rules framed there under, consequently direct the 2nd respondent to follow the due process of law and to pass such

IA NO: 1 OF 2026

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 be pleased to direct the 2nd respondent not to demolish the shop of the petitioner situated in D.No.3-10 of Penugudurupadu Village of Chnduru Mandal, Bapatla District, without following due procedure established by law and pass such

Counsel for the Petitioner:

1.RAMAKRISHNA AKURATHI

Counsel for the Respondent(S):

1.GP FOR PANCHAYAT RAJ RURAL DEV

2.Mattegunta.Sudhir,Standing Counsel For Z.P.Ps,M.P.Ps,Gram Panchayats

The Court made the following:

::ORDER ::

The grievance of the petitioner in the writ petition is that the respondent No.2 is attempting to demolish the shop bearing D.No.3-10 of Penugudurupadu Village, Chunduru Mandal, Bapatla District, without following due procedure of law, as illegal and arbitrary.

2. Heard Sri B. Sanjaiah Gandhi, learned counsel for the petitioner, Sri Panuku Rajesh Kumar, learned Assistant Government Pleader for Panchayat Raj appeared for respondent No.1 and Sri Hruthik, learned counsel representing Sri M. Sudhir, learned Standing Counsel appeared for respondent No.2.

3. Learned counsel for the petitioner would submit that the petitioner has been doing the business under the name and style of BNR Rice Traders at D.No.3-10 of Penugudurupadu Village, Chuduru Mandal, Bapatla District, after obtaining necessary license from the Labour Department and other authorities, since 1993. The said shop is situated at road margin. Respondent No.2 Gram Panchayat has been collecting taxes.

4. Be that as it may, on 10.04.2026, the Panchayat Secretary of respondent No.2 visited the shop and directed the petitioner to vacate the shop; otherwise, the authority will demolish the shop. No show-cause notice was issued to the petitioner.

5. The writ petition was listed on 23.04.2026 and adjourned at the request of Sri Hruthik, learned counsel appearing for respondent No.2 to get instructions.

6. Today, when the matter is taken up for consideration, Sri Hruthik, learned counsel appearing for Gram Panchayat submitted the written instructions of Panchayat Secretary of respondent No.2. A perusal of the written instructions would indicate that the subject property i.e. Ac.0.001 cents in Sy.No.44 is classified as Government land (Bandidari). The petitioner encroached upon the said land and constructed a small shop, and has been carrying business. The respondent authorities orally informed the petitioner about the encroachment. The authority will follow the due procedure. In fact, the Village Surveyor conducted a survey and submitted a report to the Panchayat Secretary regarding the alleged encroachment.

7. Given the facts and circumstances of the case, keeping the writ petition pending and inviting a counter-affidavit will not serve any purpose. Hence, the Writ Petition is disposed of at the stage of admission with the consent of the learned counsel appearing on either side, directing the respondent No.2 not to demolish the structure bearing D.No.3-10 of Penugudurupadu Village, Chuduru Mandal, Bapatla District, without following due procedure of law. 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

208

THE HONOURABLE SRI JUSTICE SUBBA REDDY SATTI

WRIT PETITION NO: 10840 of 2026

Date: 27.04.2026
TVN