



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

[3331]

WEDNESDAY, THE TWENTY NINTH DAY OF APRIL
TWO THOUSAND AND TWENTY SIX

PRESENT

THE HONOURABLE SRI JUSTICE SUBBA REDDY SATTI

WRIT PETITION NO: 10724/2026

Between:

1.PALAGANI PRAMILA RANI, W/O JOJIRAJU, AGE 49 YEARS,
RESIDENT OF 4 - 94, NEAR BROTHER JOSEPH THAMBY TEMPLE,
PEDA AVUTUPALLI VILLAGE, UNGUTURU MANDAL, KRISHNA
DISTRICT - 521286.

...PETITIONER

AND

1.THE STATE OF AP, REPRESENTED BY ITS PRINCIPAL
SECRETARY, PANCHAYATH RAJ AND RURAL DEVELOPMENT
DEPARTMENT, AT SECRETARIAT, VELAGAPUDI, AMARAVATI,
GUNTUR DISTRICT-522238.

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

3.THE VILLAGE PANCHAYAT, PEDA AVUTAPALLI VILLAGE,
REPRESENTED BY ITS PANCHAYAT SECRETARY, PEDDA
AVUTAPALLI VILLAGE, UNGUTURU MANDAL, KRISHNA DISTRICT -
521312.

4.THE TAHSILDAR, , UNGUTURU MANDAL, KRISHNA DISTRICT.
534411.

...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 or direction, more particularly one in the nature of Writ

of Mandamus declaring the action of the 3RD Respondent in threatening to remove my shop to an extent of 30 Sq. yards, situated at Brother Joseph Thamby Temple, Roman Catholic Church in R.S. No. 104, Peda Aavutupalli Village, Unguturu Mandal, Krishna District without considering my reply dated 17.04.2026, to the notice issued by the Village Panchayat which is arbitrary, unlawful, unjust against the principles of natural justice and violation of Article 14, 19 (1) (g), 21 AND 300 A of Constitution of India and Consequently, to direct the 3rd respondent not to remove my shop, without providing an alternative land for continuation of livelihood 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 3RD respondent not to remove the shop situated at Brother Joseph Thamby Temple, Roman Catholic church in R.S. No. 104, Peda Aavutupalli Village, Unguturu Mandal, Krishna District; till pending disposal of the writ petition and pass

Counsel for the Petitioner:

1.BANKA NAGESWARA RAO

Counsel for the Respondent(S):

1.GP FOR PANCHAYAT RAJ RURAL DEV

2.GP FOR REVENUE

The Court made the following order:

Heard Sri Banka Nageswara Rao, learned counsel for the petitioner, Sri P.Rajesh Kumar, learned Assistant Government Pleader for Panchayat Raj and Rural Development for the 1st respondent, Ms. Usha, learned Assistant Government Pleader for Revenue for the respondents 2 and 4, and Sri Chaitanya, learned counsel representing Sri Y.Koteswara Rao, learned Standing counsel for the 3rd respondent.

2. The above writ petition was filed to declare the action of the 3rd respondent in attempting to remove the shop situated at Brother Joseph Thamby Temple, admeasuring an extent of 30 square yards in R.S.No.104 of Peda Aavutupalli Village, Unguturu Mandal, Krishna District, without considering the reply submitted by the petitioner dated 17.04.2026 (Ex.P4), as illegal and arbitrary.

3. Learned counsel for the petitioner would submit that the petitioner has been operating a small fancy store in Peda Avutupalli Village, for the past four decades, on land adjacent to the compound wall of Brother Joseph Tamby Temple, Peda Avutupalli, admeasuring an extent of 30 square yards. The shop was initially constructed by the father-in-law of the petitioner.

4. Be that as it may, the Panchayat Secretary of the 3rd respondent issued a notice dated 16.04.2026 (Ex.P3), directing the petitioner and other shop owners to attend a meeting pursuant to a complaint made by the villagers in PGRS. Thereafter, the petitioner made a representation dated 17.04.2026 (Ex.P4). Learned counsel would further submit that without considering the representation, the Panchayat Secretary attempted to remove the shop.

5. Sri Chaitanya, learned counsel representing Sri Y.Koteswara Rao, learned Standing counsel for the 3rd respondent, on instructions, would submit that the villagers of Peda Avutapalli made a complaint in PGRS regarding the encroachments on either side of the road. The Panchayat Secretary of the 3rd respondent issued notices to all the persons running shops and directed them

to attend the office on 13.04.2026. He would further submit that the petitioner and other shop owners attended the office of the Panchayat Secretary on 13.04.2026. Learned counsel would also submit that a survey will be conducted as per the procedure, and based on the survey report, necessary action will be initiated by following the procedure.

6. Given the facts and circumstances of the case, inviting a counter and keeping the writ petition pending may not serve any purpose, and hence the writ petition is disposed of, at the stage of admission, with the consent of all the learned counsel, directing the Panchayat Secretary of the 3rd respondent to follow the due procedure. There shall be no order as to costs.

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

JUSTICE SUBBA REDDY SATTI

Date: 29.04.2026
SNI

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THE HONOURABLE SRI JUSTICE SUBBA REDDY SATTI

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Date: 29.04.2026
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