



**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: 11255/2026

Between:

1.KONIDENA VIJAYA BHASKARA NAIDU, S/O. PAPA NAIDU , AGED ABOUT 62 YEARS, OCC AGRICULTURE, R/O. PUNJULURUPADU VILLAGE, VENKATACHALAM MANDAL, SPSR NELLORE DISTRICT-524323.

...PETITIONER

AND

1.THE STATE OF ANDHRA PRADESH, REP BY ITS PRINCIPAL SECRETARY TO GOVERNMENT, PANCHAYAT RAJ AND RURAL DEVELOPMENT DEPARTMENT, SECRETARIAT BUILDINGS, AMARAVATI, GUNTUR DISTRICT-522238.

2.THE DISTRICT COLLECTOR, SPSR NELLORE DISTRICT,, NELLORE- 524001.

3.THE TAHSILDAR, VENKATACHALAM MANDAL SPSR NELLORE DISTRICT-524405.

4.THE PUNJULURUPADU GRAM PANCHAYAT REP BY ITS, PANCHAYAT SECRETARY, PUN UULUMPADU GRMA PANCHAYAT, VENKATACHALAM MANDAL SPSR NELLORE DISTRICT-524320.

...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 appropriate Writ Order or direction more particularly one in the nature of writ of Mandamus or any other appropriate writ, declaring the action of the Respondent No.4 in interfering with the possession of land and water plant situated on the site admeasuring Ac.0.02 cents of land in Sy.No.69/12 of Punjulurupadu Village, Venkatachalam Mandal, SPSR Nellore District and trying to dispossess the Petitioner from lawful possession and

enjoyment as illegal, arbitrary violation of Article 14, 21 and 300-A of the constitution of India and Consequently restrain the Respondent No.4 from interfering with Water Plant 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 not to interfere with the Petitioner possession and enjoyment of property and water plant situated on the site 0.02 acres of land in Sy. No. 69/12 of Punjulurupadu Village, Venkatachalam Mandal, SPSR Nellore District pass

Counsel for the Petitioner:

1.B SESIBUSHAN 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 B.Sesibushan Rao, learned counsel for the petitioner, Sri P.Rajesh Kumar, learned Assistant Government Pleader for Panchayat Raj and Rural Development for the respondents 2 and 3, and Sri Hruthik, learned counsel representing Sri M.Sudhir, learned Standing counsel for the 4th respondent.

2. The above writ petition was filed to declare the action of the 4th respondent in interfering with the water plant situated in an extent of Ac.0.02 cents in Sy.No.69/12 of Punjulurupadu Village, Venkatachalam Mandal, SPSR Nellore District, without issuing any notice, as illegal and arbitrary.

3. Learned counsel for the petitioner would submit that the petitioner is a resident of the 4th respondent Gram Panchayat. The petitioner's father had

donated an extent of 0.06 cents in Sy.No.69/12 to the Gram Panchayat for the construction of an office building. Pursuant thereto, a building along with a compound wall was constructed. The petitioner's family established a mineral water plant within the office compound and has been supplying purified drinking water to the villagers. An automatic coin-operated dispensing system was also installed to facilitate the distribution of water to the public. A Special Officer was appointed to the 4th respondent Gram Panchayat by the Government *vide* G.O.Ms.No.47, Panchayat Raj and Rural Development (E&R) Department dated 11.03.2026. Due to political reasons, the Panchayat Secretary is interfering with the activities of the RO plant.

4. Sri Hruthik, learned counsel representing Sri M.Sudhir, learned Standing counsel for the 4th respondent, on instructions, would submit that the Panchayat Secretary is not interfering with the RO plant. An extent of Ac.0.02 cents in Sy.No.69/12 of Punijulurupadu Village, Venkatachalam Mandal, SPSR Nellore District, stands in the name of Sri Raavi Balakrishna Naidu, who, in turn, had donated the same to the Gram Panchayat. The Gram Panchayat constructed its office on the said land in or around the year 2007. The Gram Panchayat allowed K.Mohan Naidu, a family member of the donor, to establish a water plant for the purpose of supplying drinking water to the villagers. The petitioner is not concerned with the water plant. Neither a notice was issued to the petitioner nor was the petitioner orally directed to remove the said water plant by the Gram Panchayat at any point in time.

5. Ms. Usha, learned Assistant Government Pleader for Revenue, submitted the written instructions of the Tahsildar – 3rd respondent.

6. A perusal of the written instructions would indicate that the Thasildar has no jurisdiction to deal with the village site.

7. Thus, as seen from the instructions of the Panchayat Secretary of the 4th respondent, the authority is not interfering with the RO plant situated in an extent of Ac.0.02 cents in Sy.No.69/12 of PUnjulurupadu Village, Venkatachalam Mandal, SPSR Nellore District. The instructions of the Panchayat Secretary of the 4th respondent are made part of the record.

8. Given the facts and circumstances of the case, while this Court is not recording any finding as to whether the petitioner is running the RO plant or Sri K.Mohan Naidu, a family member of the donor, the writ petition is disposed of at the stage of admission with the consent of all the learned counsel, directing the 4th respondent not to interfere with the water plant situated in an extent of Ac.0.02 cents in Sy.No.69/12 of PUnjulurupadu Village, Venkatachalam Mandal, SPSR Nellore District, without following 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: 27.04.2026
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THE HONOURABLE SRI JUSTICE SUBBA REDDY SATTI

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