

**IN THE HIGH COURT OF ANDHRA PRADESH AT AMARAVATI
(SPECIAL ORIGINAL JURISDICTION)**

WEDNESDAY, THE SEVENTH DAY OF MAY,
TWO THOUSAND AND TWENTY FIVE

:PRESENT:

THE HONOURABLE SRI JUSTICE GANNAMANENI RAMAKRISHNA PRASAD

WRIT PETITION NO: 12562 OF 2025



Between:

Vutukuru Raghu Rami Reddy, S/o. Veera Reddy, Aged 50 years, Occ:
Vice-President, Mydukur Mandal Praja Parishad R/o. D.No.1/2,
Thuvvapalli, G.V.Satram, YSR Kadapa District, Andhra Pradesh.

...Petitioner

AND

1. The State of Andhra Pradesh, Represented by its Principal Secretary, Panchayat Raj Rural Development Department, Secretariat Buildings at Velagapudi, Amaravati, Guntur District.
2. The Commissioner & Director, Panchayat Raj Rural Development Department, PVS Icon Buildings, Tadepalli, Guntur District.
3. The Andhra Pradesh State Election Commission, Represented by its State Election Commissioner, Vijayawada, NTR District.
4. The District Collector & District Election Authority, YSR Kadapa District, Kadapa.
5. The District Panchayat Officer, YSR Kadapa District, Kadapa.
6. The Chief Executive Officer, Zilla Praja Parishad, YSR Kadapa District, Kadapa.
7. The Mandal Parishad Development Officer (MPDO) Presiding Officer, Mydukur Mandal, Mydukur, YSR Kadapa District.
8. S.Abdulla, S/o. Nagoor Vali, R/o. D.No.13/600-1, Mydukur, Mydukur Mandal, YSR Kadapa District.

...Respondents

Petition under Article 226 of the Constitution of India is filed praying that in the circumstances stated in the affidavit filed therewith, the High Court may be pleased to issue a writ or order or direction, more particularly one in the nature of Writ of Mandamus, declaring the action of Respondent No.7 in issuing the notice vide Rc.No.A/34/2025 dated 03.04.2025, thereby deciding an election dispute without having jurisdiction, as illegal, arbitrary, unconstitutional, and violative of Article 14 of the Constitution of India, Section 233 of the Andhra Pradesh Panchayat Raj Act, 1994, consequently, set aside the same and direct the respondents herein not to interfere with the official duties and functions of the petitioner as Vice-President, Mandal Praja Parishad, Mydukur Mandal, YSR Kadapa District;

IA NO: 1 OF 2025:

Petition under Section 151 CPC is filed praying that in the circumstances stated in the affidavit filed in support of the writ petition, the High Court may be pleased to direct the respondents herein not to interfere with the official duties and functions of the petitioner as Vice-President, Mandal Praja Parishad, Mydukur Mandal, YSR Kadapa District, by suspending the operation of the notice in Rc.No.A/34/2025 dated 03.04.2025 issued by Respondent No.7, pending disposal of WP.No.12562 of 2025, on the file of the High Court.

The petition coming on for hearing, upon perusing the Petition and the affidavit filed in support thereof and upon hearing the arguments of Sri Doddaka Harsha Vardhan, Advocate for the Petitioner and Smt Naga Chandrika, learned Assistant Government Pleader for Panchayat Raj for the Respondent Nos.1, 2 & 5 and Sri T.Sanjeeva Rao, learned Assistant Government Pleader for Revenue and Sri Hruthik, learned counsel appearing on behalf of Sri M.Sudhir, learned Standing Counsel for the

Respondent Nos.6 & 7 and Sri S.Vivek Chandrasekhar, Standing Counsel for the Respondent No.3, the Court made the following;

ORDER:

“Heard Sri D. Harsha Vardhan, learned Counsel for the Writ Petitioner, Smt. Naga Chandrika, learned Assistant Government Pleader for Panchayat Raj, Sri T. Sanjeeva Rao, learned Assistant Government Pleader for Revenue and Sri Hruthik, learned Counsel appearing on behalf of Sri M. Sudhir, learned Standing Counsel for the Gram Panchayat.

2. Learned Counsel for the Writ Petitioner has drawn the attention of this Court to the provisions of Section 233 of the Panchayat Raj Act, 1994 and would submit that any election dispute must be presented before the Competent Authority. He would submit that the Mandal Parishad Development Officer (Respondent No.7) ought not to have issued the impugned Notice dated 03.04.2025 bearing Rc.No.A/34/2025 (Ex.P.1). He would submit that after the issuance of the impugned Proceeding dated 03.04.2025, there has been constant interference with the discharge of duties of the Writ Petitioner.

3. Having considered the text of Section 233 of the Panchayat Raj Act and the impugned Proceeding issued by the Mandal Parishad Development Officer (Respondent No.7) dated 03.04.2025, this Court is of the prima facie opinion that the balance of convenience is in favour of the Writ Petitioner. Accordingly, there shall be a direction suspending the impugned Proceeding dated 03.04.2025 bearing Rc.No.A/34/2025 (Ex.P.1) until the next listing.

4. Learned Counsel for the Writ Petitioner is directed to take out Personal Notice in respect of the Unofficial Respondent No.8 within

two weeks from today and file proof of receipt of Notice within two weeks thereafter.

5. Let Counter Affidavit be filed within four weeks. Two weeks thereafter for filing Re-joinder, if any.

6. Registry is directed to print the names of Government Pleader for Panchayat Raj and Sri S. Vivek Chanrasekhar as learned Standing Counsel for the Respondent No.3 in the Cause-list.

7. List the matter on 15.07.2025."

Sd/- K.TATA RAO
DEPUTY REGISTRAR

//TRUE COPY//

SECTION OFFICER
DEPUTY REGISTRAR

For As

To,

1. The Principal Secretary, State of Andhra Pradesh, Panchayat Raj Rural Development Department, Secretariat Buildings at Velagapudi, Amaravati, Guntur District. (by **Special Messenger**)
2. The Commissioner & Director, Panchayat Raj Rural Development Department, PVS Icon Buildings, Tadepalli, Guntur District.
3. The State Election Commissioner, Andhra Pradesh State Election Commission, Vijayawada, NTR District.
4. The District Collector & District Election Authority, YSR Kadapa District, Kadapa.
5. The District Panchayat Officer, YSR Kadapa District, Kadapa.
6. The Chief Executive Officer, Zilla Praja Parishad, YSR Kadapa District, Kadapa.
7. The Mandal Parishad Development Officer (MPDO) Presiding Officer, Mydukur Mandal, Mydukur, YSR Kadapa District.
8. S.Abdulla, S/o. Nagoor Vali, R/o. D.No.13/600-1, Mydukur, Mydukur Mandal, YSR Kadapa District. (Addressee Nos.2 to 8 by **RPAD**)

9. One CC to Sri. Doddaka Harsha Vardhan, Advocate [OPUC]
10. Two CCs to GP for Panchayat Raj, High Court of AP [OUT]
11. Two CCs to GP for Revenue, High Court of AP [OUT]
12. One CC to Sri M.Sudhir, Standing Counsel [OPUC]
13. One CC to Sri S.Vivek Chandrasekhar, Standing Counsel
[OPUC]
14. The Section Officer, Posting Section, High Court of AP
15. One spare copy

MM

HIGH COURT

GRKP,J

DATED:07/05/2025

LIST THE MATTER ON 15.07.2025

ORDER

WP.No.12562 of 2025

DIRECTION

