

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

FRIDAY, THE FIFTEENTH DAY OF MAY
TWO THOUSAND AND TWENTY SIX ✓



:PRESENT:

THE HONOURABLE SRI JUSTICE TUHIN KUMAR GEDELA ✓

WRIT PETITION NO: 14529 OF 2026 ✓

Between:

Perali Balakrishna Prasad, S/o. Rama Chandra Rao, Aged 56 years, Occ
Business, R/o. Nizampatnam Village and Mandal, Bapatia District -
522314.

Petitioner

AND

1. The State of Andhra Pradesh, Rep.by its Principal Secretary to
Government, Panchayat Raj and Rural Development Department,
Secretariat, Velagapudi, Amaravati, Guntur District.
2. The District Collector (Panchayat Wing), Bapatla District at Bapatla -
522101.
3. The District Panchayat Officer, Bapatla District at Bapatla - 522101.
4. The Nizampatnam Gram Panchayat, Rep.by its Executive authority-
cum-Panchayat Secretary, Nizampatnam Village, Nizampatnam Mandal,
Bapatla District - 522314.

Respondents

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 declaring the action of respondents on petitioner's
representation dated 21.04.2026, submitted by way of objections for
construction of Sulab Complex (or) Shopping Complex on the road margin
between his shops in Sy.No.431/10 bearing D.No.10-73/A and it's northern
public road situated at Nizampatnam Gram Panchayat of Nizampatnam

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G. R. A.

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Mandal in Bapatla District, in contravention in law laid down by the full bench of this Hon'ble High Court in **Sataraboyina Someswara Rao, Vs. Sangasetti Tirupathamma** reported in 1989 (1) ALT 36 and without following any known procedure established by law, as illegal, irregular, irrational, without any authority of law and violative of provisions of Andhra Pradesh Panchayat Raj Act, 1994 and offends Articles 14, 21 and 300-A of Constitution of India and consequently direct the respondents not to construct any Sulab Complex (or) Shopping Complex on said road margin site nor block his passage.

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 to direct the respondents to consider and initiate necessary action on petitioner's representation dated 21.04.2026, submitted by way of objections for construction of Sulab Complex (or) Shopping Complex on the road margin between his shops in Sy.No.431/10 bearing D.No. 10-73/A and it's northern public road situated at Nizampatnam Gram Panchayat of Nizampatnam Mandal in Bapatla District and consequently direct the respondents not to construct sulab (or) shopping complex on the said road margin, Pending disposal of WP 14529 of 2026, 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 Mrs.NIMMAGADDA REVATHI Advocate for the Petitioner, GP FOR PANCHAYAT RAJ RURAL DEV for Respondent Nos.1 to 3, Sri M.Sudhir, Standing counsel for R4 and the Court made the following.

ORDER

Heard Ms.Haritha, learned counsel, representing Ms.Nimmagada Revathi, learned counsel for the petitioner, Sri Nithin, learned counsel, representing Sri M.Sudhir, learned Standing Counsel for respondent No.4-Gram Panchayat.

The grievance of the petitioner is that a Sulabh Complex is being constructed on the road margin between his shops in Sy.No.431/10, bearing D.No.10-73/A, situated at Nizampatnam Village and Mandal, Bapatla District. Further contention of the learned counsel for the petitioner is that, in the event Sulabh Complex is constructed, it causes hindrance and obstruction for ingress and egress to his shops.

Admittedly, any construction on the road margin will be contrary to the very law laid down by the Hon'ble Apex Court as well as this Court in Full Bench in the case of Sataraboyina Someswara Rao v. Sangasetti Tirupathamma reported in 1989 (1) ALT 36.

Oppugnant to the said contentions, Sri Nithin, learned counsel, would place on record instructions stating that no steps are taken by the respondents to construct Sulabh Complex on the road margin in the scheduled place i.e., Sy.No.431/10 bearing D.No.10-73/A.

Taking into consideration the said instructions issued by the concerned Panchayat Development Officer, Gram Panchayat, Nizampatnam Mandal, the grievance of the petitioner is addressed.

For further instructions, post this matter after Summer Vacation, 2026.

SD/- Y.SRINIVASU
ASSISTANT REGISTRAR
SECTION OFFICER

//TRUE COPY//

To,

1. The Principal Secretary to Government, State of Andhra Pradesh, Panchayat Raj and Rural Development Department, Secretariat, Velagapudi, Amaravati, Guntur District. (by **Special Messenger**)
2. The District Collector (Panchayat Wing), Bapatla District at Bapatla - 522101.
3. The District Panchayat Officer, Bapatla District at Bapatla - 522101.

4. The Executive authority-cum-Panchayat Secretary Nizampatnam Village, Nizampatnam Gram Panchayat, Nizampatnam Mandal, Bapatla District - 522314. (addressee 2 to 4 by **RPAD**)
5. One CC to Smt. NIMMAGADDA REVATHI Advocate [OPUC]
6. Two CCs to GP FOR PANCHAYAT RAJ RURAL DEV, High Court of Andhra Pradesh. [OUT]
7. One spare copy.

HIGH COURT

GTK,J

DATED:15/05/2026

POST THIS MATTER AFTER SUMMER VACATION, 2026

ORDER

WP.No.14529 of 2026

DIRECTION



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