

**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: 14502 OF 2026**



Between:

1. C. Divya Sree, D/o C. Baiaji Aged about 10 years Residing at MG Nagar, Thondambattu Varadaiahpalem mandal, Tirupati District.
2. C. Sasi Kranth, S/o C. Balaji Aged about 8 years Residing at MG Nagar, Thondambattu Varadaiahpalem mandal, Tirupati District.

Both 1 and 2 minors rep. by their natural guardian/father C. Baiaji s/o Penchualaiah, Aged about 39 years residing at MG nagar, Thondambattu, Varadaiahpalem mandal, Tirupati District

Petitioners

AND

1. The State of Andhra Pradesh, Education Department, Rep. by its Principal Secretary, Secretariat Buildings, Velagapudi, Amaravati, Guntur District.522238
2. The District Collector, Tirupati District, Tirupati,517501
3. The District Education Officer, Tirupati District, Tirupati.517501
4. The Mandal Education officer, Varadaiahpalem Mandal, Tirupati District.517501
5. The Headmaster, ZPHS School, Ambikapuram, Varadaiahpalem mandal, Tirupati District.517541
6. The Tahsildar, Varadaiahpalem Mandal, Varadaiahpalem, Tirupati District.517541
7. P Venkata Subba Naidu, s/o P Munaswamy Naidu aged about 72 years resident of Ambikapuram, Rajgopalapuram post, Thondambattu panchayat Varadaiahpalem mandal, Tirupati District-517588

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 may be pleased to issue a Writ, Order or Direction, more particularly one in the nature of Writ of Mandamus, declaring the action of the respondents 2 to 6 in not taking action against the illegal constructions made by the respondent no.7 in ZPHS school, Ambikapuram, premises covered in SY.No.194/10, 11 and 12 of Thondambattu village of as arbitrary, illegal, unjust, abdication of duty, violation of Right to Education under Article 21A and Varadaiahpalem Mandal, Tirupati District fundamental rights guaranteed under Articles 14, 19, 21 of the Constitution of India, and consequently direct the respondents stop the illegal constructions and take further necessary action to remove the illegal construction made by the 7th respondent in the ZPHS school, Ambikapuram, premises covered in SY.No.194/10, 11 and 12 of Thondambattu village of Varadaiahpalem Mandal, Tirupati District,

IA NO: 2 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 respondent authorities to take action against the illegal constructions made by the 7th respondent in ZPHS school, Ambikapuram, premises covered in SY.No.194/10, 11 and 12 of Thondambattu village of Varadaiahpalem Mandal, Tirupati District, Pending disposal of WP 14502 of 2026, on the file of the High Court.

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 respondent no.7 to stop the illegal constructions in ZPHS school Ambikapuram, premises covered in SY.No.194/10, 11 and 12 of Thondambattu village of Varadaiahpalem Mandal, Tirupati District, Pending disposal of WP 14502 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 Sri PAWAN KUMAR MALAPATI Advocate for the Petitioner, GP FOR SCHOOL



EDUCATION for Respondent Nos.1, R3 to R5, GP for Revenue Department for R2, R6 R4 and the Court made the following.

ORDER

Heard Sri Pawan Kumar Malapati, learned counsel for the petitioners, Sri G.Rama Chandra Rao, learned Government Pleader appearing on behalf of respondent Nos.1, 3 to 5, learned Assistant Government Pleader for Revenue for respondent Nos.2 and 6 and Sri G.Malleswara Reddy, learned counsel, representing Sri T.Yogesh, learned counsel for respondent No.7.

The petitioners, ventilating their grievance against respondent Nos.2 to 6, sought a Writ of Mandamus for taking necessary action to remove the illegal constructions made by respondent No.7 in the ZPHS School premises, Ambikapuram, covered in Sy.No.194/10, 11 and 12 of Thondambattu Village, Varadaiahpalem Mandal, Tirupati District.

The grievance of the petitioners was addressed by the instructions produced by Sri G.Rama Chandra Rao, learned Government Pleader, appearing for the District School Education Officer vide Rc.No.SPL/D4/2026, dated 14.05.2026, which, at paragraph No.3, reads as follows:

“...Further I submit that the institution was established in the year 1961 and then records not available in the school as per the information submitted by the respondent No.5 and also the same respondent informed that the construction started by the 7th respondent is temporarily stopped for want of survey report from the respondent No.6...”

Considering the said paragraph No.3, the grievance of the petitioners is addressed. There shall be a further direction that the respondents should ensure that respondent No.7 shall not proceed with the construction till the survey report is received from respondent No.6.

Learned counsel for respondent No.7 would contend that the Tahsildar has already submitted his report on 31.01.2026.

Learned Assistant Government Pleader appearing for Tahsildar requested time to produce instructions to fortify the stand taken by respondent No.7.

Enabling the learned Government Pleader to get instructions, post this matter on 15.06.2026.

SD/- Y.SRINIVASU
ASSISTANT REGISTRAR

//TRUE COPY//

SECTION OFFICER

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To,

1. The Principal Secretary, State of Andhra Pradesh, Secretariat Buildings, Velagapudi, Amaravati, Guntur District.522238 (by **Special Messenger**)
2. The District Collector, Tirupati District, Tirupati,517501
3. The District Education Officer, Tirupati District, Tirupati.517501
4. The Mandal Education officer, Varadaiahpalem Mandal, Tirupati District.617501.
5. The Headmaster, ZPHS School, Ambikapuram, Varadaiahpalem mandal, Tirupati District.517541
6. The Tahsildar, Varadaiahpalem Mandal, Varadaiahpalem, Tirupati District.517541
7. P Venkata Subba Naidu, s/o P Munaswamy Naidu resident of Ambikapuram, Rajgopalapuram post, Thondambattu panchayat Varadaiahpalem mandal, Tirupati District-517588 (addressee 2 to 7 by **RPAD**)
8. One CC to SRI. PAWAN KUMAR MALAPATI Advocate [OPUC]
9. Two CCs to GP FOR SCHOOL EDUCATION, High Court Of Andhra Pradesh. [OUT]
10. Two CCs to GP FOR Revenue Department, High Court Of Andhra Pradesh. [OUT]
11. One spare copy

HIGH COURT

GTK,J

DATED:15/05/2026

POST THIS MATTER ON 15.06.2026.

ORDER

WP.No.14502 of 2026

DIRECTION

