

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

THURSDAY, THE ELEVENTH DAY OF JUNE,  
TWO THOUSAND AND TWENTY SIX

:PRESENT:

THE HONOURABLE SRI JUSTICE SUBBA REDDY SATTI

WRIT PETITION NO: 15399 OF 2026



**Between:**

Smt. Ganta Durga, W/o. Ganta Satyanarayana, Aged about 65 years, Occ  
Housewife, R/o D. No. 2-103, Near Ambedkar Statue, Mypa Village,  
Palakoderu Mandal, West Godavari District, Andhra Pradesh.

...Petitioner

**AND**

1. The State of Andhra Pradesh, Rep. by its Principal Secretary,  
Panchayat Raj and Rural Development Department, Secretariat,  
Velagapudi, Amaravati, Guntur District - 522237.
2. The District Collector (Panchayat Wing), West Godavari District at  
Bhimavaram - 534201.
3. The District Panchayat Officer, West Godavari District at Bhimavaram -  
534201.
4. The Mypa Gram Panchayat, Rep. by its Panchayat Secretary cum  
Executive Authority, Mypa Village, Palakoderu Mandal. West Godavari  
District - 534186.
5. The Assistant Engineer, Roads AND Buildings Department, Palakoderu,  
Palakoderu Mandal, West Godavari District - 534201.
6. Sri Chandanala Venkanna Babu, S/o Satyanarayana, Aged about 41  
years, Occ Cultivation, R/o D.No. 2-100, Near Ambedkar Statue, Mypa  
Village, Palakoderu Mandal, West Godavari District - 534186.
7. Sri Mocherla Ramakrishna, S/o. M. Venkateswarlu, Age about 45 years,  
Occ Rajaka, R/o D.No. 2-101, Near Ambedkar Statue, Mypa Village,  
Palakoderu Mandal, West Godavari District - 534186.

### ...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, order or direction more particularly one in the nature of WRIT OF MANDAMUS declaring the Proceedings Rc. No. 04/2026 dated 04.06.2026 and the consequential notice dated 10.06.2026 issued by the 4<sup>th</sup> respondent proposing to demolish the Petitioners residential house without considering her representation dated 09.06.2026 and without conducting a comprehensive survey of all alleged encroachments in R.S. No. 90 and adjoining areas of Mypa Village, as illegal, arbitrary, discriminatory, and violative of Article 14 of the Constitution of India and consequently direct the Respondents not to demolish any portion of petitioners said house property selectively conduct a comprehensive joint survey and demarcation of the entire area, identify all alleged encroachments, and take uniform action against all persons found to be encroachers, if any, strictly in accordance with law;

### **IA NO: 1 OF 2026:**

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 suspend the operation of proceedings Rc. No.04/2026 dated 04.06.2026 and the consequential notice dated 10.06.2026 issued by the 4<sup>th</sup> respondent and consequently direct the respondents not to demolish or in any manner interfere with the Petitioners peaceful possession and enjoyment of the property bearing D.No. 2-103, Mypa Village, Palakoderu Mandal, West Godavari District, pending disposal of WP.No.15399 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 Pala Karthi Kiran, Advocate for the Petitioner and GP for Panchayat Raj for Respondent Nos.1 to 3 and GP for Roads & Buildings for Respondent No.5

and Sri Y.Koteswara Rao, Standing Counsel for Respondent No.4, the Court made the following;

**ORDER:**

Learned Government Pleader for Panchayat Raj & Rural Development takes notice on behalf of the respondents 1 to 3; learned Government Pleader for Roads & Buildings takes notice on behalf of the 5<sup>th</sup> respondent and both the counsel seek time to get instructions.

2. Sri Y.Koteswara Rao, learned standing counsel takes notice on behalf of 4<sup>th</sup> respondent, offers to file vakalat and seek time to get instructions.

3. Learned counsel for the petitioner is permitted to take out personal notice to the respondents 6 & 7 by Speed Post and file proof of service.

4. The above writ petition is filed by way of House Motion pursuant to the permission granted by the Hon'ble the Chief Justice.

5. Assailing the proceedings issued by the Panchayat Secretary of 4<sup>th</sup> respondent vide Rc.No.04/2026, dated 04.06.2026 (Ex.P4) and consequential communication dated 10.06.2026 (Ex.P5), the above writ petition is filed.

6. Sri P.Karthi Kiran, learned counsel for the petitioner would submit that in pursuance of Ex.P4, the petitioner made a representation dated 09.06.2026 (Ex.P1) and requested to conduct re-survey, however, without conducting resurvey, communication dated 10.06.2026 (Ex.P5) was issued.

7. Per contra, Sri Y.Koteswara Rao, learned standing counsel for the 4<sup>th</sup> respondent, would submit that a show cause notice dated 18.02.2026 was issued by the Panchayat Secretary of 4<sup>th</sup> respondent, for which the petitioner submitted an explanation dated 23.02.2026. Thereafter, survey was conducted by the Mandal Surveyor and submitted report dated 04.04.2026 and hearing was also conducted on

18.05.2026 by the Secretary of the Gram Panchayat. Learned standing counsel seeks time to get the relevant record.

8. Along with writ petition, neither the show cause notice nor explanation or relevant photographs of the structure are filed. Learned counsel for the petitioner shall file all the documents by the next date of hearing.

9. Given the facts and circumstances of the case, the Panchayat Secretary of the 4<sup>th</sup> respondent shall not take any coercive steps pursuant to Exs.P4 and P5 for a period of one week from today.

10. List the matter on 17.06.2026 in the Motion List.

//TRUE COPY//

SD/- K.R.V.S.SUBHRAHMANYAM  
ASSISTANT REGISTRAR

SECTION OFFICER

To,

1. The Principal Secretary, State of Andhra Pradesh, Panchayat Raj and Rural Development Department, Secretariat, Velagapudi, Amaravati, Guntur District - 522237. (by **Special Messenger**)
2. The District Collector (Panchayat Wing), West Godavari District at Bhimavaram - 534201.
3. The District Panchayat Officer, West Godavari District at Bhimavaram - 534201.
4. The Panchayat Secretary cum Executive Authority, Mypa Gram Panchayat, Mypa Village, Palakoderu Mandal. West Godavari District - 534186.
5. The Assistant Engineer, Roads AND Buildings Department, Palakoderu, Palakoderu Mandal, West Godavari District - 534201.
6. Sri Chandanala Venkanna Babu, S/o Satyanarayana, R/o D.No. 2-100, Near Ambedkar Statue, Mypa Village, Palakoderu Mandal, West Godavari District - 534186.

7. Sri Mocherla Ramakrishna, S/o. M. Venkateswarlu, R/o D.No. 2-101, Near Ambedkar Statue, Mypa Village, Palakoderu Mandal, West Godavari District - 534186. (Addressee Nos.2 to 7 by **RPAD**)
8. One CC to Sri. Pala Karthi Kiran, Advocate [OPUC]
9. Two CCs to GP for Panchayat Raj, High Court of Andhra Pradesh. [OUT]
10. Two CCs to GP for Roads & Buildings, High Court of AP [OUT]
11. One CC to Sri Y.Koteswara Rao, Standing Counsel [OPUC]
12. One spare copy

HIGH COURT

SRS,J

DATED:11/06/2026

LIST THE MATTER ON 17.06.2026 IN THE MOTION LIST

ORDER

WP.No.15399 of 2026

DIRECTION

