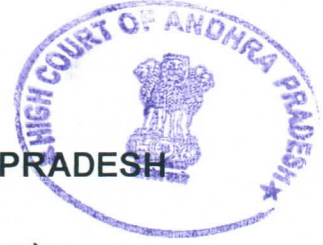




IN THE HIGH COURT OF ANDHRA PRADESH
AT AMARAVATI
(Special Original Jurisdiction)



TUESDAY, THE 11th DAY OF AUGUST 2026

PRESENT

THE HONOURABLE SRI JUSTICE K SREENIVASA REDDY

WRIT PETITION NO: 18232 OF 2026

Between:

M/s. Andhra Paper Limited, Rep. by its Executive Director, Mukesh Jain, S/o. Nemi Chand Jain, aged about 58 years, Sri Ram Nagar, Rajamahendravaram, East Godavari District

.... Petitioner

AND

1. The State of Andhra Pradesh, Rep. by its Principal Secretary, Panchayat Raj and Rural Development Department, A.P. Secretariat at Velagapudi, Amaravati, Guntur District - 522238
2. The District Collector, East Godavari District, Rajamahendravaram - 533103
3. The Katheru Gram Panchayat, Rep. by its Secretary / Panchayat Development Officer, Katheru, Rajamahendravaram, East Godavari District - 533105

.... 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 an appropriate Writ, order or direction mostly one which is in the nature of a Writ of Mandamus declaring the action of the 3rd Respondent in issuing Show Cause Notice, dt.28.5.2026 and four Destrainment Warrants, dt.22.6.2026 pertaining to House Tax Assessment Nos.3822 (D.No.122-8-1) and 3823 (D.No.122- 8-2) situated in R.S.No.99-1 of Katheru Village, East Godavari District during the pendency of O.S.No.40/2023;

O.S.No.41/2023, O.S.No.52/2023, O.S.No.53/2023, O.S.No.54/2023, O.S.No.55/2023, O.S.No.56/2023, O.S.No.60/2022 and O.S.No.67/2024 before the Principal District Judge, Rajamahendravaram pertaining to the same Assessment Numbers as ultra vires, unjust, arbitrary, illegal and in violation of Sections 60 and 61 of A.P. Panchayat Raj Act, 1994 and Rules 25(4) and 26 of G.O.Ms.No.30 Panchayat Raj and Rural Development (PTS.III), dt.30.3.1995 and consequently, set aside the same.

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 petition, the High Court may be pleased to direct the Respondents not to take coercive steps against the Petitioner in furtherance of Show Cause Notice, dt.28.5.2026 and four Destrainment Warrants, dt.22.6.2026 pertaining to House Tax Assessment Nos.3822 (D.No.122-8-1) and 3823 (D.No.122- 8-2) situated in R.S.No.99-1 of Katheru Village, East Godavari District till the disposal of the Civil Suits pending before the Principal District Judge, Rajamahendravaram with respect to these Assessment Numbers, pending disposal of WP 18232 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 the earlier orders of the High Court dated: 23.07.2026 & 03.08.2026 made herein and upon hearing the arguments of Sri VARREY VENKATA NAGA VISHNU TEJA, Advocate for the Petitioner and of GP FOR PANCHAYAT RAJ & RURAL DEV for the Respondent No.1 and of GP FOR REVENUE for Respondent No.2 and of Sri Y.KOTESWARA RAO, STANDING COUNSEL for respondent No.3, the Court made the following;

ORDER:

Heard the learned counsel for the petitioner and the learned Standing Counsel for Gram Panchayat.

This Writ Petition came to be filed seeking to set-aside the show-cause notice dated 28.05.2026 and four Destraint Warrants, dt.22.06.2026, pertaining to House Tax Assessment Nos.3822 (D.No.122-8-1) and 3823 (D.No.122-8-2) situated in R.S.No.99-1 of Katheru Village, East Godavari District during the pendency of O.S.Nos.40/2023, 41/2023, 52/2023, 53/2023, 54/2023, 55/2023, 56/2023, 60/2022, and 67/2024 on the file of the Principal District Judge, East Godavari District at Rajamahendravaram pertaining to the said Assessment Numbers.

Vide Order date 23.07.2026, this Court directed the respondents to submit a joint survey map before this Court by 03.08.2026.

Today, when the matter has come up for before this Court, learned Standing Counsel for the Gram Panchayat submitted copy of a Map. A perusal of the said map, there is any amount of ambiguity with regard to existence of the compound wall, and inconsistent versions have been stated with regard to the same. In order to resolve the controversy, this Court is of the opinion that it would be appropriate to appoint an Advocate Commissioner to verify as to whether there is any compound wall, and if at all a compound wall is existing, to mention/assess the height of the said compound wall, and submit a report.

Therefore, Sri Anand Kumar Kochiri, Advocate, is appointed as an Advocate Commissioner in this regard, and he is directed to execute the warrant with the assistance of Mandal Land Survey Officer, Rajamahendravaram Rural Mandal, within a period of four (04) weeks from the date of receipt of the order.

Learned Advocate Commissioner is directed to issue notice to the parties concerned, in advance and fix the date of inspection.

The Advocate-Commissioner's fee is fixed at Rs.50,000/- (Rupees Fifty Thousand only) payable by the petitioner to the learned Advocate Commissioner at the time of execution of the warrant.

Registry is directed to issue warrant accordingly.

For Report, list the matter on 08.09.2026.

Interim order granted earlier is extended for a period of six (06) weeks.

SD/- T.SRINIVASA RAO
ASSISTANT REGISTRAR

//TRUE COPY//


SECTION OFFICER

To,

1. The Principal Secretary, Panchayat Raj and Rural Development Department, State of Andhra Pradesh, A.P. Secretariat at Velagapudi, Amaravati, Guntur District - 522238
2. The District Collector, East Godavari District, Rajamahendravaram - 533103
3. The Secretary / Panchayat Development Officer, Katheru Gram Panchayat, Katheru, Rajamahendravaram, East Godavari District - 533105 (Addressee Nos. 1 to 3 by **SPEED POST**)
4. One CC to Sri Anand Kumar Kochiri, Advocate [OPUC]
5. One CC to Sri. VARREY VENKATA NAGA VISHNU TEJA, Advocate [OPUC]
6. Two CCs to GP FOR PANCHAYAT RAJ & RURAL DEV, High Court Of Andhra Pradesh. [OUT]
7. Two CCs to GP FOR REVENUE, High Court Of Andhra Pradesh. [OUT]
8. One CC to Sri Y.KOTESWARA RAO, STANDING COUNSEL [OPUC]
9. One spare copy

HIGH COURT

SRK, J

DATED:11.08.2026.

LIST THE MATTER ON 08.09.2026.

ORDER

WP.No.18232 of 2026 .

DIRECTION





IN THE HIGH COURT OF ANDHRA PRADESH
AT AMARAVATI
(Special Original Jurisdiction)



TUESDAY, THE 11th DAY OF AUGUST 2026

PRESENT

THE HONOURABLE SRI JUSTICE K SREENIVASA REDDY

WRIT PETITION NO: 18232 OF 2026

Between:

M/s. Andhra Paper Limited, Rep. by its Executive Director, Mukesh Jain, S/o. Nemi Chand Jain, aged about 58 years, Sri Ram Nagar, Rajamahendravaram, East Godavari District

.... Petitioner

AND

1. The State of Andhra Pradesh, Rep. by its Principal Secretary, Panchayat Raj and Rural Development Department, A.P. Secretariat at Velagapudi, Amaravati, Guntur District - 522238
2. The District Collector, East Godavari District, Rajamahendravaram - 533103
3. The Katheru Gram Panchayat, Rep. by its Secretary / Panchayat Development Officer, Katheru, Rajamahendravaram, East Godavari District - 533105

.... Respondents

Whereas the 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 an appropriate Writ, order or direction mostly one which is in the nature of a Writ of Mandamus declaring the action of the 3rd Respondent in issuing Show Cause Notice, dt.28.5.2026 and four Destrainment Warrants, dt.22.6.2026 pertaining to House Tax Assessment Nos.3822 (D.No.122-8-1) and 3823 (D.No.122- 8-2) situated in R.S.No.99-1 of Katheru Village, East Godavari District during the pendency of

O.S.No.40/2023, O.S.No.41/2023, O.S.No.52/2023, O.S.No.53/2023, O.S.No.54/2023, O.S.No.55/2023, O.S.No.56/2023, O.S.No.60/2022 and O.S.No.67/2024 before the Principal District Judge, Rajamahendravaram pertaining to the same Assessment Numbers as ultra vires, unjust, arbitrary, illegal and in violation of Sections 60 and 61 of A.P. Panchayat Raj Act, 1994 and Rules 25(4) and 26 of G.O.Ms.No.30 Panchayat Raj and Rural Development (PTS.III), dt.30.3.1995 and consequently, set aside the same.

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 petition, the High Court may be pleased to direct the Respondents not to take coercive steps against the Petitioner in furtherance of Show Cause Notice, dt.28.5.2026 and four Destrainment Warrants, dt.22.6.2026 pertaining to House Tax Assessment Nos.3822 (D.No.122-8-1) and 3823 (D.No.122- 8-2) situated in R.S.No.99-1 of Katheru Village, East Godavari District till the disposal of the Civil Suits pending before the Principal District Judge, Rajamahendravaram with respect to these Assessment Numbers, pending disposal of WP 18232 of 2026, on the file of the High Court.

And whereas, the Petition, coming on for hearing, upon perusing the Petition and the affidavit filed in support thereof and the earlier orders of the High Court dated 23.07.2026 and 03.08.2026 upon hearing the arguments of Sri VARREY VENKATA NAGA VISHNU TEJA, Advocate for the Petitioner and of GP FOR PANCHAYAT RAJ & RURAL DEV for the Respondent No.1 and of GP FOR REVENUE for Respondent No.2 and of Sri Y.KOTESWARA RAO, STANDING COUNSEL for respondent No.3, appointed Sri Anand Kumar Kochiri, Advocate as Advocate Commissioner.

Therefore you viz.,

Sri Anand Kumar Kochiri, Advocate.

are hereby appointed as an Advocate Commissioner to verify as to whether there is any compound wall, and if at all a compound wall is existing, to mention/assess the height of the said compound wall, and submit a report.

You are directed to execute the warrant with the assistance of Mandal Land Survey Officer, Rajamahendravaram Rural Mandal, within a period of four (4) weeks from the date of receipt of this warrant.

You are directed to issue notice to the parties concerned in advance and fix the date of inspection.

Your fee for this purpose is fixed at Rs.50,000/- (Rupees Fifty Thousand only), which shall be paid to you by the petitioner at the time of execution of warrant.

You are directed to submit your report on 08.09.2026 before this Court.

Sd/- TUPAAKULA SRINIVASA RAO
ASSISTANT REGISTRAR

//TRUE COPY//


SECTION OFFICER

To,

1. One CC to Sri Anand Kumar Kochini, Advocate (by Special Messenger along with the material papers)
2. One spare copy

HIGH COURT

SRK, J

DATED:11.08.2026.

LIST THE MATTER ON 08.09.2026.

ORDER



WP.No.18232 of 2026

APPOINTMENT OF ADVOCATE COMMISSIONER