



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

Thursday, the 10th day of September, 2026

Present

The Honourable Ms. Justice B. S. Bhanumathi

Writ Petition No.25938 of 2026

Between:

1. Sri Pothuluri Veerabrahmendra Swamivari Devasthanam Committee, represented by its President M.Raja Rao, S/o. M.Sreehari Rao, aged about 58 years, R/o. D. No. 4-91, Perecherla village, Medikonduru mandal, Guntur district.

... Petitioner

and

1. The Government of Andhra Pradesh, represented by its Secretary, Panchayat Raj Department, Secretariat, Velagapudi, Guntur district.
2. District Collector, Guntur district, Guntur.
3. District Panchayat Officer, Guntur district, Guntur.
4. Divisional Panchayat Officer, Guntur, Guntur.
5. Mandal Development Officer, (Panchayat Raj) Medikonduru mandal, Guntur district.

6. Mandal Deputy Development Officer (Panchayat Raj) – cum - Special Officer, Perecherla village, Medikonduru Mandal, Guntur district.

7. Perecherla Gram Panchayat, represented by its Secretary, Perecherla village, Medikonduru mandal, Guntur district.

...Respondents

Counsel for the petitioner

1.V.V.L.N.Sharma

Counsel for the respondents

1. Government Pleader for Panchayat Raj and Rural Development

The Court made the following Order:

This writ petition is filed under Article 226 of the Constitution of India to issue a writ or order or direction more particularly one in the nature of writ of mandamus declaring the action of the respondents in seeking to lay walking track in the tank poramboke of Ponduruvari Cheruvu, Perecherla village, Medikonduru mandal, Guntur district which is vested in 7th respondent Gram Panchayat, by taking away a portion of the land allotted to the petitioner and also to Rajaka Sangham in Perecherla village seeking to demolish a part of the constructions already made etc., without any approval, without following due process of law, as illegal, arbitrary etc and pass such other order or orders as this Court may deem fit proper in the interest of justice.

02. The case of the petitioner, stated briefly, is as follows:

The petitioner is aggrieved by the action of the respondents in seeking to lay walking track in the Tank Poramboke of Ponduruvari Cheruvu, Perecherla village, Medikonduru mandal, Guntur district which is vested with the Perecharla Gram Panchayat by taking away a portion of the land allotted to the petitioner and also to Rajaka Sangham in Perecherla village and seeking to demolish a part of the constructions already made. Hence, this writ petition was filed.

03. The learned counsel for the petitioner submitted that under the guise of laying walking track, the respondents are likely to encroach

into the site of the temple and cause damage to the structure of the temple. He submitted that no portion of the tank poramboke can be used for any constructions.

04. Sri M.Sudheer, the learned Standing Counsel representing the respondents Nos.5 to 7 placed on record a copy of the written instructions of the respondent No.7 submitted that the site of Ac.0.15 cents allotted to the petitioner is Poramboke land, but not Tank Poramboke land as can be seen from the copy of the resolution of the Gram Panchayat, Perecharla, dated 04.02.1991, filed by the petitioner itself and that the proposed walking track does not encroach any part of the land allotted to the petitioner and all the precautions would be taken to see that the petitioner's property is not destroyed nor is its property encroached while constructing walking track which is just meant for the use of general public.

05. In view of such submissions, the learned counsel for the writ petitioner requested to dispose of the writ petition making the submissions of the learned Standing Counsel for the respondents Nos.5 to 7 as part of the order.

06. In view of the same, the writ petition is disposed of directing the respondents not to encroach into the land of the petitioner or in any way cause damage to the structure of the petitioner while constructing the subject matter 'walking track'. It is further made clear that compliance of the above directions shall be strictly ensured by the respondents, if necessary by conducting proper survey to identify the property of the petitioner.

There shall be no order as to costs.

Consequently, miscellaneous petitions, if any, pending in this writ petition shall stand closed.

JUSTICE B.S. BHANUMATHI

Date: 10.09.2026

Note: CC by 11.09.2026

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THE HONOURABLE MS JUSTICE B.S.BHANUMATHI

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