

IN THE HIGH COURT OF ANDHRA PRADESH AT AMARAVATI
TUESDAY, THE FIFTH DAY OF MAY
TWO THOUSAND AND TWENTY SIX

: PRESENT:

THE HONOURABLE SRI JUSTICE SUBBA REDDY SATTI

IA No. 1 OF 2025

IN

WP NO: 26976 OF 2025

Between:

Gadiva Asma, W/O Gadivan S.Md.Rafeeq, Aged 37 years, R/o H.No.14/306,
Khajipura, Adoni, Kurnool, Andhra Pradesh- 518301.

...Petitioner

AND

1. The State of Andhra Pradesh, Represented by its principal Secretary
Department of Panchayati Raj and Rural Development, Secretariat,
Velagapudi, Guntur district.
2. The District Collector, Kurnool, Kurnool district, Andhra Pradesh.
3. The Sub Collector, Adoni, Kurnool district, Andhra Pradesh.
4. The Divisional Panchayat Officer, Adoni, Kurnool District, Andhra
Pradesh.
5. The Mandagiri Gram Panchayat, Represented by its Panchayat
Secretary, Adoni Mandal, Kurnool District, Andhra Pradesh.

(Cause title amended as per Court Order Dt. 05.05.2026 in I.A.No.1
of 2026)

...Respondents

Counsel for the Petitioners: Sri K V Raghu Veer

Counsel for the Respondent Nos. 1 & 4: GP for Panchayat Raj & RD

Counsel for the Respondent Nos. 2 & 3: GP for Revenue

Counsel for the Respondent No.5: Sri M Sudhir

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 suspend the notice R.C.No.28/2025-2026 dated 04-07-2025 issued by the 5th Respondent, Pending disposal of WP No. 26976 of 2025, on the file of the High Court.

The court while directing issue of notice to the Respondents herein to show cause as to why this application should not be complied with, made the following order.(The receipt of this order will be deemed to be the receipt of notice in the case). The Court made the following

ORDER

Heard Sri K.V.Raghuveer, learned counsel for the petitioner, Sri P.Rajesh Kumar, learned Assistant Government Pleader for Panchayat Raj and Rural Development for the respondents 1 and 4, Ms. Usha, learned Assistant Government Pleader for Revenue for the respondents 2 and 3 and Ms. Kavitha, learned counsel representing Sri M.Sudhir, learned Standing counsel for the 5th respondent.

Impugning the proceedings issued by the Panchayat Secretary of the 5th respondent *vide* RC.No.28/2025-26 dated 04.07.2025 (Ex.P1), the petitioner filed the above writ petition.

The petitioner purchased an extent of 120 square yards in Sy.No.444B/1, Mandagiri Gram Panchayat, Adoni Mandal, Kurnool District, under a registered sale deed dated 26.12.2022. The petitioner's vendor, had purchased the said property under a registered sale deed dated 13.08.2019. Both the documents were filed in I.A.No.2 of 2025. The petitioner made an application to the 5th respondent – Gram Panchayat seeking permission to construct a building, and permission was granted vide B.A.No.57/2023 dated 03.10.2023 (Ex.P4).

Be that as it may, the 3rd respondent issued proceedings vide Rc.E.759/2025 dated 15.03.2025 (Ex.P3) directing the respondents 4 and 5 not to grant permissions for construction of houses in Sy.No.444 of Mandagiri Village and Sy.No.352 of Sadapuram Village in Adoni Mandal. The said proceedings, merely, refer to a representation received from the public at Adoni, but do not disclose the identity of the complainant or the nature of the grievance.

Acting upon the proceedings vide Rc.E.759/2025 dated 15.03.2025 (Ex.P3), the Divisional Panchayat Officer – 4th respondent issued a memo vide RC.No.23/PTS.A1/2025 dated 24.03.2025 (Ex.P2), not to grant permissions in Sy.No.444 of Mandagiri Village and Sy.No.352 of Sadapuram Village in Adoni Mandal.

Acting upon the said communications, the Panchayat Secretary of the 5th respondent issued the impugned proceedings vide RC.No.28/2025-26 dated 04.07.2025 (Ex.P1), directing the petitioner not to proceed with the construction until the orders of the Sub-Collector, Adoni, and the Divisional Panchayat Officer, Adoni, are revoked, and the contempt case is disposed of.

A perusal of Ex.P4 indicates that the petitioner had already been granted building permission on 03.10.2023. Neither Ex.P3 nor Ex.P2 disclose the names of the complainants or the specific grievance, except for stating about the manipulation of some records.

The petitioner, started construction pursuant to Ex.P4.

Whether the Panchayat Secretary of the 5th respondent has the jurisdiction to issue the impugned proceedings vide RC.No.28/2025-26 dated 04.07.2025 (Ex.P1), based on Exs.P.2 and P3 requires consideration upon filing of counter-affidavit by the respondent authorities.

Given the facts and circumstances of the case, this Court deems it appropriate to suspend the operation of the impugned proceedings. Accordingly, the proceedings vide Rc.No.28/2025-26 dated 04.07.2025 (Ex.P1) are hereby suspended.

It is, however, made clear that if the petitioner proceeds with the construction, and any adverse order is subsequently passed, the petitioner shall not claim any equities.

SD/- M.SRINIVAS
ASSISTANT REGISTRAR
SECTION OFFICER

//TRUE COPY//

For

To,

1. The Principal Secretary, State of Andhra Pradesh, Department of Panchayati Raj & Rural Development, Secretariat, Velagapudi, Guntur district.

2. The District Collector, Kurnool, Kurnool district, Andhra Pradesh.
3. The Sub Collector, Adoni, Kurnool district, Andhra Pradesh.
4. The Divisional Panchayat Officer, Adoni, Kurnool District, Andhra Pradesh.
5. The Panchayat Secretary, Mandagiri Gram Panchayat, Adoni Mandal, Kurnool District, Andhra Pradesh. (1 to 5 by RPAD)
6. One CC to Sri. K V Raghu Veer, Advocate [OPUC]
7. One CC to Sri M Sudhir, Standing Counsel [OPUC]
8. Two CCs to GP for Panchayat Raj & Rural Dev ,High Court Of Andhra Pradesh. [OUT]
9. Two CCs to GP for Revenue, High Court of AP [OUT]
10. One spare copy

HIGH COURT

SRS, J

DATED: 05/05/2026

LIST THE MATTER AFTER SUMMER VACATION - 2026

ORDER

IA No. 1 OF 2025

IN

WP NO: 26976 OF 2025



INTERIM SUSPENSION