



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

[3332]

THURSDAY, THE ELEVENTH DAY OF DECEMBER
TWO THOUSAND AND TWENTY FIVE

PRESENT

THE HONOURABLE SRI JUSTICE RAVI CHEEMALAPATI

WRIT PETITION NO: 31338/2025

Between:

1.SIRI NIVASAM MUTUALLY AIDED CO OPERATIVE HOUSE BUILDING SOCIETY LTD, HOUSE BUILDING SOCIETY LTD., TIRUPATI, REP BY ITS PRESIDENT G.GIRIDHARA MURARI, S/O G. ADHINARAYANAIAH, AGED ABOUT 56 YEARS PLOT NO. 55, G.G. NAGAR, OPP. UPPARAPALLI DR. B.R. AMBEDKAR STATUE, GOLLAPUDI ROAD, THUMMALAGUNTA POST, TIRUPATI - 517 501

...PETITIONER

AND

1.THE STATE OF AP, REP. BY ITS PRINCIPAL SECRETARY, PANCHAYAT RAJ AND RURAL DEVELOPMENT DEPARTMENT, A.P. SECRETARIAT, VELAGAPUDI, GUNTUR DISTRICT.

2.THE DISTRICT PANCHAYAT OFFICER, CHITTOOR DISTRICT

3.THE PANCHAYAT SECRETARY, GANDHIPURAM PANCHAYAT, TIRUPATHI RURAL MANDAL TIRUPATHI, CHITTOOR DISTRICT

4.KOMMINI MAHESWARA NAIDU, S/O K. DASARADHA NAIDU, AGED ABOUT 45 YEARS D.NO. 1-34, KAMMAKNDRIGA, GANGIREDDY PALLI (POST), RAMACHANDRAPURAM MANDAL CHITTOOR DISTRICT

5.M NAGARJUNA, S/O LATE MANI KURAM AGED ABOUT 29YEARS, D.NO. 19-7-17, D.R. MAHAL ROAD, TIRUPATI (URBAN), CHITTOOR DISTRICT

...RESPONDENT(S):

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 to issue an appropriate Writ, Order, or Direction, preferably one in the nature of a Writ of Mandamus, declaring the action of Respondent No. 3 in taking steps to dispossess the Petitioner society from the lands situated in S.No.13 admeasuring an extent of Ac4.40 cents of Avilala Village, Tirupati Rural Mandal, Chittoor District as arbitrary, illegal, unwarranted, unsustainable, and violative of Articles 14, 19(1)(g), 21, and 300-A of the Constitution of India and Consequently direct the Respondents not dispossess the Petitioner Society from the subject property without following due process of law and pass

IA NO: 1 OF 2025

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 Respondents not to dispossess the Petitioner Society from the lands situated in S.No.13 admeasuring an extent of Ac4.40 cents of Avilala Village, Tirupati Rural Mandal, Chittoor District and to pass

IA NO: 2 OF 2025

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 implead the Petitioner herein as Party Petitioner No.2 in W.P.No.31338 of 2025 and pass

Counsel for the Petitioner:

1.SURAGANI KRISHNA VAMSI

Counsel for the Respondent(S):

1.GP FOR PANCHAYAT RAJ RURAL DEV

The Court made the following order:

The grievance of the petitioners is that without following the due process of law, respondent No.3 is taking steps to dispossess the petitioner society from the lands situated in S.No.13 admeasuring Ac.4.40 cents of Avilala Village, Tirupati Rural Mandal, Chittoor District.

2. Heard Sri S.Krishna Vamsi, learned counsel for the petitioners, Smt D.Chandrika, learned Assistant Government Pleader for Panchayat Raj and Sri M.Sudhir, learned standing counsel for Gram Panchayat and

3. Learned counsel for the petitioners, in elaboration to what has been stated in the affidavit, contended that petitioner No.1 is Mutually Aided Co-operative House Building Society Limited and petitioner No.2 has purchased the property from the said society in S.No.13, Plot No.131 and 132 admeasuring 734.58 sq yards through a registered sale deed and the petitioners are in peaceful possession and enjoyment of the subject property. He further submitted that at the behest of respondent Nos.4 and 5, respondent No.3 has repeatedly interfered with the petitioners' possession and is taking steps to dispossess the petitioners from the subject land. Hence, prayed to pass appropriate orders protecting the interest of the petitioners.

4. On the other hand, learned standing counsel for Gram Panchayat placed on record the written instructions of the Panchayat Secretary, Gandhipuram Gram Panchayat dated 21.11.2025 and submitted that the Gram Panchayat has

never interfered with the property of the petitioners at any point of time. Hence, prayed to dismiss the Writ Petition.

5. Perused the record and considered the submissions made by learned counsel for the parties.

6. The contention of the petitioners is that at the behest of respondent Nos.4 and 5, the Gram Panchayat, without following due process of law, is interfering with the petitioners' subject property. Perusal of record shows that learned counsel for the petitioners has taken out personal notices on respondent Nos.4 and 5, however, the same were returned with endorsements 'address refused, hence returned to sender' and 'insufficient address' respectively. Learned standing counsel for Gram Panchayat submitted that the Gram Panchayat has never interfered with the petitioners' subject property.

7. In view of the above and taking the submissions of learned counsel for the parties into consideration, since the Gram Panchayat has not interfered with the petitioners' subject property, there remains nothing for further adjudication in this matter and no notice is required to be issued to the unofficial respondents and the Writ petition is liable to be closed.

8. Accordingly, the Writ Petition is closed. There shall be no order as to costs.

As a sequel thereto, interlocutory applications pending, if any in the Writ Petition, shall also stand closed.

JUSTICE RAVI CHEEMALAPATI

11.12.2025

MP

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THE HON'BLE SRI JUSTICE RAVI CHEEMALAPATI

WRIT PETITION NO.31338 of 2025

11.12.2025

MP