

APHC010642252025



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

[3332]

FRIDAY, THE FIFTH DAY OF DECEMBER
TWO THOUSAND AND TWENTY FIVE

PRESENT

THE HONOURABLE SRI JUSTICE RAVI CHEEMALAPATI

WRIT PETITION NO: 33166/2025

Between:

1.KOTHAPU MUNI REDDY,, S/O. MUNI REDDY, AGED ABOUT YEARS, OCC PRESIDENT, WATER USERS ASSOCIATION LINGALAKUNTA TANK,R/O. SOMESWARAPURAM VILLAGE, TAMBALLAGONDI GRAM PANCHAYAT, ATLUR MANDAL YSR KADAPA DISTRICT

...PETITIONER

AND

1.THE STATE OF ANDHRA PRADESH, REP. BY ITS PRINCIPAL SECRETARY, PANCHAYAT RAJ DEPARTMENT, SECRETARIAT BUILDING VELAGAPUDI, GUNTUR DISTRICT.

2.THE DISTRICT PANCHAYAT OFFICER, YSR KADAPA DISTRICT, KADAPA.

3.THE TAHSILDAR, ATLUR MANDAL, YSR KADAPA DISTRICT.

4.THE TAMBALLAGONDI GRAM PANCHAYAT, REP. BY ITS PANCHAYAT SECRETARY, TAMBALLAGONDI VILLAGE, ATLUR MANDAL, YSR KADAPA DISTRICT.

5.GONTU VISHNU KANTH, S/O. VENKATAIAH, AGED ABOUT 38 YEARS, OCC SCHOL CORRESPONDENT, LITTLE FLOWER SCHOOL, MAHABOORNAGAR COLONY, BADVEL TOWN, YSR

KADAPA 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 topleased to issue a writ or order more particularly one in the nature writ of mandamus or an appropriate writ or order declaring the inaction of the respondents 3 and 4 in preventing the 5th respondent in making illegal construction by encroaching the vagu land in Sy. No. 49, of Tamballagondi village, Atlur Mandal, YSR Kadapa District, as illegal, arbitrary and unconstitutional and consequently direct the respondents 3 and 4 to remove the illegal construction in the vagu land,

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 3 & 4 to prevent the 5th respondent in making illegal construction in vagu land in Sy. No. 49, of Tamballagondi village, Atlur Mandal, YSR Kadapa District, and remove the same, pending disposal of the writ petition

Counsel for the Petitioner:

1.KOTI REDDY IDAMAKANTI

Counsel for the Respondent(S):

1.GP FOR PANCHAYAT RAJ RURAL DEV

2.GP FOR REVENUE

The Court made the following:

ORDER

Questioning the inaction of the respondent nos. 3 and 4 in preventing respondent no.5 from making illegal constructions by encroaching the vagu land in Survey No,.49 of Tamballagondi village, Atlur Mandal, YSR Kadapa District, this writ petition has been filed.

2. Heard Sri I.Koti Reddy, learned counsel for the petitioner, Sri Mattegunta Sudheer, learned Standing Counsel for Gram Panchayat, and Ms.Naga Chandrika, learned Assistant Government Pleader for Panchayat Raj.

3. Sri M.Sudheer, learned Standing Counsel, by placing on record the written instructions of the Panchayat Secretary, Tamballagondi Gram Panchayat, would submit that the authorities having found that respondent no.5 was making construction of house without permission, the Gram Panhayat issued a notice on 19.11.2025 asking him to obtain permission and as respondent no.5 proceeded on with construction, another notice dated 02.12.2025 was issued and the Gram Panchayat would take action against the illegal construction being made by respondent no.5 in accordance with law.

4. Sri I.Koti Reddy, learned counsel for petitioner, submitted that this writ petition may be disposed of, recording the contents of the written instructions and the submissions made by learned Standing Counsel.

5. In view of the above, this writ petition can be disposed of. As no adverse orders affecting the interest and rights of respondent no.5 are being passed, issuing notice to respondent no.5 and keeping the matter pending inviting his counter would be unnecessary.

6. Accordingly, this writ petition is disposed of, directing the authorities to take action against the unauthorized construction being made by respondent no.5, strictly in accordance with law and intimate the same in writing to the petitioner. The entire exercise shall be completed within a period of three (03) months from the date of receipt of copy of this order. There shall be no order as to costs.

Pending miscellaneous petitions, if any, shall stand closed.

DATED: 5TH DECEMBER, 2025.

JUSTICE RAVI CHEEMALAPATI
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