



**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: 33603/2023

Between:

1. DIGUMARTHI SAVITRI, W/O. NARASIMHAMURTHY AGE 57
YEARS, R/ O. H. NO. 1-145/1 MARTERU VILLAGE,
PENUMANTRA MANDAL WEST GODAVARI DISTRICT

...PETITIONER

AND

1. THE STATE OF ANDHRA PRADESH, REP BY ITS PRINCIPAL
SECRETARY PANCHAYAT RAJ AND RURAL DEVELOPMENT
DEPARTMENT, BUILDINGS, AMARAVATHI, GUNTUR DISTRICT.

2. THE DISTRICT COLLECTOR, (PANCHAYAT WING) WEST
GODAVARI DISTRICT AT BHIMAVARAM

3. THE DISTRICT PANCHAYAT OFFICER, BHIMAVARAM, WEST
GODAVARI DISTRICT

4. THE DIVISIONAL PANCHAYAT OFFICER, NARASAPURAM,
WEST GODAVARI DISTRICT

5. THE MARTERU GRAM PANCHAYAT, MARTERU
PENUMANTRAL MANDAL, WEST GODAVARI DISTRICT
REPRESENTED BY ITS SECRETARY

6. KAMIDI LAKSHMI, W/O. PREMANANDAM AGE 56 YEARS, R/O.
MARTERU VILLAGE PENUMANTRA MANDAL, WEST

GODAVARI 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 order or direction more particularly, one in the nature of Writ of Mandamus declaring the action of respondent Nos. 2 to 5 in not taking any action to stop and remove the unauthorized construction being made by the 6th respondent adjacent to the petitioner's house bearing H. No 1-145/1, Marteru Village, Penumantra Mandal, West Godavari District without obtaining any permission and without following the prescribed norms as illegal, arbitrary, malafide, irresponsible and contrary to law apart from being violative of Articles 14, 21 and 300A of the Constitution of India and consequently direct the respondent Nos. 2 to 5 to remove the unauthorized construction being made by the 6th respondent adjacent to the petitioner's house bearing H. No. 1- 145/1, Marteru Village, Penumantra

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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 2 to 6 to stop the unauthorised construction being made by the 6th respondent adjacent to the petitioner's house bearing H. No. 1-145/1, Marteru Village, Penumantra Mandal, West Godavari District pending disposal of the above writ petition in the interest of justice and pass

Counsel for the Petitioner:

1.KAMBHAMPATI RAMESH BABU

Counsel for the Respondent(S):

1.RAMBABU KOPPINEEDI

2.GP FOR PANCHAYAT RAJ RURAL DEV

3.N SRIHARI (Standing Counsel for ZPP MPP and GRAM PANCHAYAT)

The Court made the following:**ORDER:**

Declaring the action of the respondents in not taking any action to stop and remove the unauthorized construction being made by the unofficial respondent No.6 adjacent to the petitioner's house bearing H.No.1-145/1, Marteru Village, Penumantra Mandal, West Godavari District, without obtaining any permission and without following the prescribed norms, as illegal and arbitrary, the present writ petition is filed.

2. Heard Sri Kambhampati Ramesh Babu, learned counsel for the petitioner, Sri Y.Koteswara Rao, learned Standing Counsel for Gram Panchayat and Smt Naga Chandrika, learned Assistant Government Pleader for Panchayat Raj for the respondents.

3. Learned Standing Counsel for Gram Panchayat, on written instructions dated 07.11.2021 submitted that the pursuant to the complaint given by the petitioner and the direction of this Court on 02.01.2024, a notice dated 02.01.2024 has been issued to the unofficial respondent No.6. Pursuant to the same, construction has been stopped and there are no constructions in the subject land, as such, there remains nothing for adjudication and prayed to dismiss the writ petition.

4. Learned counsel for the petitioner prayed to record the said submission and close the writ petition.

5. Recording the said submissions, the Writ Petition is ***closed***. However, if the unofficial respondent No.6 proceed with the construction without proper permission, it is needless to observe that the Gram Panchayat has to take steps in accordance with law. There shall be no order as to costs.

As a sequel, miscellaneous applications, pending if any, shall stand closed.

JUSTICE RAVI CHEEMALAPATI

Date: 05th December, 2025
RKS