



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

[3331]

WEDNESDAY, THE FOURTH DAY OF FEBRUARY
TWO THOUSAND AND TWENTY SIX

PRESENT

THE HONOURABLE SRI JUSTICE SUBBA REDDY SATTI

WRIT PETITION NO: 35925/2025

Between:

- 1.KOTI PEDDA MALAKONDAIAH, SON OF LATE NOTI CHINNA VENKATA REDDY, AGED ABOUT 76 YEARS, KUMARA KONDURU VILLAGE, KALIGIRI MANDAL, SPSR NELLORE DISTRICT, AP.
- 2.KAMCHAMREDDY MALAKONDA REDDY,, SON OF LATE KANCHAMREDDY RAMI REDDY, AGED ABOUT 75 YEARS, KUMARA KONDURU VILLAGE, KALIGIRI MANDAL, SPSR NELLORE DISTRICT, AP.
- 3.SMT. RAVURI RATTAMMA,, WIFE OF RAVURI MALYADRI, AGED ABOUT 66 YEARS,KUMARA KONDURU VILLAGE, KALIGIRI MANDAL, SPSR NELLORE DISTRICT, AP.
- 4.SMT.TELLA VIJAYAMMA,, WIFE OF TELIA MALYADRI, AGED ABOUT 56 YEARS, KUMARA KONDURU VILLAGE, KALIGIRI MANDAL, SPSR NELLORE DISTRICT, AP.
- 5.BANKA PRASAD,, SON OF PEDDA MALAKONDAIAH, AGED ABOUT 50 YEARS. WARD MEMBER, KUMARA KONDURU VILLAGE, KALIGIRI MANDAL, SPSR NELLORE DISTRICT, AP.

...PETITIONER(S)

AND

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

- 2.THE COMMISSIONER, PANCHAYAT RAJ AND RURAL DEVELOPMENT DEPARTMENT, O/O.PVS ICON BUILDING, PATHURU X ROAD, TADEPALLE, GUNTUR DISTRICT, ANDHRA PRADESH.
- 3.THE DISTRICT COLLECTOR PANCHAYAT RAJ WING, SPSR NELLORE DISTRICT, NELLORE CITY.
- 4.THE CHIEF EXECUTIVE OFFICER, ZILLA PRAJA PARISHAD, ADMINISTRATIVE OFFICE, DARGAMITTA, PODALAKURU ROAD, NEAR OLED TB HOSPITAL, NELLORE-524003, SPSR NELLORE DISTRICT.
- 5.THE DISTRICT PANCHAYAT OFFICER, PANCHAYAT RAJ DEPARTMENT, NELLORE CITY, SPSR NELLORE DISTRICT.
- 6.THE DIVISIONAL PANCHAYAT OFFICER, PANCHAYAT RAJ DEPARTMENT, KAVALI DIVISION, KAVALI, SPSR NELLORE DISTRICT.
- 7.THE TAHSILDAR, KALIKGIRI MANDAL, SPSR NELLORE DISTRICT.
- 8.THE MANDAL PRAJA PARISHAD OFFICER, MANDAL PARSIHAD OFFICE, KALIGIRI MANDAL, SPSR NELLORE DISTRICT.
- 9.THE KUMARA KONDURU GRAM PANCHAYAT OFFICE, IS REP.BY ITS PANCHAYAT SECRETARY, KUMARA KONDURU VILLAGE, KANIGIRI MANDAL, SPSR NELLORE 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, a Writ, order or direction more particularly one in the nature of Writ of Mandamus declaring the intending action of the respondents herein and more precisely the 9th respondent herein to construct the Petitioners Gram Panchayat building contrary to the true spirit of the donors gift vide Registered Document No.2476 of 2010 on 06.08.2010 is arbitrary, illegal, without any permissions from the higher officers or sanctions, without any resolution of the Gram Panchayat till date and most importantly contrary to the true spirit of the donor and its valuable purpose of donation of the land for the public purpose and convenience and consequently set aside the intending action of the 9th respondent and further direct the 9th respondent herein to place the records in connection with the Gram Panchayat building

for perusal and further direct the 3rd respondent Collector to cancel, if at all any illegal resolution is adopted and passed contrary to the Grama Sabha and pass

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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 all the respondents herein to construct the Gram Panchayat building at the donor's place as gifted through vide Registered Document No.2476 of 2010 dated 06.08.2010 200 Sq.Yards or 0.45 cents or 1800 sq.feet in Sy.No.181 of Kummara Konduru Village of Kaligiri Mandal, SPSR Nellore District, which is accessible to the general public and in the center of the village, pending disposal of the above said writ petition and pass

Counsel for the Petitioner(S):

- 1.V SURENDRA REDDY

Counsel for the Respondent(S):

- 1.GP FOR PANCHAYAT RAJ RURAL DEV
- 2.GP FOR REVENUE
- 3.Mattegunta.Sudhir,Standing Counsel For Z.P.Ps,M.P.Ps,Gram Panchayats

The Court made the following:

:: ORDER ::

The petitioners, residents of Kumara Konduru Village, Kaligiri Mandal, SPSR Nellore District, filed the above writ petition to declare the action of respondent No.9 in intending to construct the Gram Panchayat building at a different place, as illegal, arbitrary and contrary to the Gift Deed dated 06.08.2010 executed by one Sri Nalluru Veera Raghavulu.

2. Heard Sri V. Surendra Reddy, learned counsel for the petitioners; Sri P. Rajesh, learned Assistant Government Pleader for Panchayat Raj, appeared for respondents 1 to 6 and Ms. Usha, learned Assistant Government Pleader for Revenue, appeared for respondent No.7 and Ms. Kavitha, learned counsel

representing Sri M. Sudhir, learned Standing Counsel, appeared for respondents 8 & 9.

3. Learned counsel for the petitioners would submit that one Sri Nalluru Veera Raghavulu S/o Nalluru Subrahmanyam, gifted 200 square yards in Sy.No.181 of Kumara Konduru Village to construct the Gram Panchayat building. However, the building was not constructed in the said place. Earlier, W.P.No.28757 of 2010, filed by the villagers, was disposed of on 08.02.2011. Now the authorities are intending to construct the building in a different place.

4. Sri Rajesh, learned Assistant Government Pleader for Panchayat Raj and Ms. Kavitha, learned Assistant Government Pleader for Revenue, on written instructions, would submit that the land admeasuring Ac.0.04 cents in Sy.No.181, donated by one Sri Nalluru Veera Raghavulu, is not convenient for the construction of the Gram Panchayat building owing to its location. The land is situated amidst the houses and causes inconvenience for ingress and egress to the neighbouring residents, and also causes inconvenience in conducting Grama Sabha and vehicular movement. The Superintendent Engineer, by letter *vide* Lr.No.AEE3/GPB/RGSA/2025, dated 05.11.2025, informed the Gram Panchayat that the land for the construction of the Gram Panchayat should be Ac.0.05 cents. The Gram Panchayat passed a resolution to construct a new Gram Panchayat building at a new convenient place in Sy.No.178-13 in an extent of Ac.0.05 cents, which is classified as Metta Bhoomi. The said land was gifted by one Sri Kapugorla Harish Kumar S/o Malakondaiah, which is about 200 mts and will not cause any inconvenience for ingress and egress to the public and all the villagers. The new site facilitates vehicular parking also.

5. Thus, as seen from the material available on record, there is no dispute regarding the gift deed executed by one Sri Nalluru Veera Raghavulu on 06.08.2010. However, according to the instructions placed before this Court, the land which was gifted by one Sri Nalluru Veera Raghavulu for the construction of the Gram Panchayat building is not suitable. In fact, the

instructions further indicate that it will cause inconvenience to the public. The new site gifted by one Sri Kapugorla Harish Kumar is more convenient. That apart, the site gifted by Sri Nalluru Veera Raghavulu is an extent of Ac.0.04 cents and the site gifted by Sri Kapugorla Harish Kumar is an extent of Ac.0.05 cents. The Superintendent Engineer also informed the Gram Panchayat that Ac.0.05 cents of land is required for the construction of the Gram Panchayat building. Neither the donor nor the descendants filed the writ petition, and some third parties filed the writ petition. On that ground also, the writ petition is not maintainable.

6. Given the facts and circumstances of the case, this Court does not find any merit in the writ petition, and the same is liable to be dismissed.

7. Accordingly, the Writ Petition is dismissed. No order as to costs.

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

JUSTICE SUBBA REDDY SATTI

Date: 04.02.2026
TVN

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THE HON'BLE SRI JUSTICE SUBBA REDDY SATTI

WRIT PETITION No.35925 OF 2026

Date: 04.02.2026
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