APHC010433572025

IN THE HIGH COURT OF ANDHRA PRADESH AT AMARAVATI

Bench Sr.No:-19 [3584]

WRIT APPEAL No.929 of 2025

Arigela Rambabu and another ...Appellants

Vs.

State of Andhra Pradesh and others ...Respondents

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CORAM : THE CHIEF JUSTICE LISA GILL
SRI JUSTICE CHALLA GUNARANJAN

DATE : 29th October 2026

Present :

Advocate for Appellants	:	Ms. Nimmagadda Revathi
Advocates for Respondents	:	Learned Government Pleader for Panchayat Raj and Rural Development (R-1 to R-8), Learned Government Pleader for Revenue (R-9 & 10), Sri S. Hruthik representing Sri Mattegunta Sudhir, learned Standing Counsel for Z.P.Ps, M.P.Ps & Gram Panchayats (R-11), None (R-12).

LISA GILL, CJ.

This appeal has been filed for setting aside order dated 10.03.2025 whereby W.P.No.5691 of 2025 filed by present appellants/writ petitioners has been dismissed.

2. Prayer addressed by appellants/writ petitioners and as reproduced in impugned order reads as under:-

> ***"…..to issue a writ, order or direction more particularly one in the nature of WRIT OF MANDAMUS declaring the inaction of the respondents, more particularly Respondents Nos.9 and 10 on petitioners representation dated 27.01.2025, submitted for initiating action against unauthorized layout being carried out in an extent of Ac.2.20 cents in Sy.No.66/2, Annavaram Village, Darsi Mandal, Prakasam District, as illegal, irregular, irrational, violative of provisions of the Andhra Pradesh Panchayat Raj Act, 1994 and Andhra Pradesh Town Planning Act, 1920 and rules framed thereunder and offends articles 14 and 300-A of Constitution of India and consequently direct the respondent Nos.3 to 11 to prevent the illegal and unauthorized layouts being carried out by Respondent No.12……"***

3. Learned Single Bench, while taking note of the fact that O.S.No.253 of 2022 on the file of the Civil Judge (Junior Division), Darsi seeking partition of the land was pending between appellants and respondent No.12, observed that writ petitioners ought to have approached civil Court for the relief, if any. Writ Petition was, accordingly, dismissed. Aggrieved there from, this writ appeal has been filed.

4. None has appeared on behalf of respondent No.12 despite service.

5. Learned counsel for appellants argues that learned Single Judge has not taken into consideration the specific prayer addressed by writ petitioners, which was for initiating action against respondent No.12 for carrying out an

unauthorized layout in land to the extent of Ac.2-20 cents in Sy.No.66/2, Annavaram Village, Darsi Mandal, Prakasam District. For this purpose, the writ petition was maintainable.

6. At this stage, learned Standing Counsel representing respondent No.11 – Rajampalli Gram Panchayat refers to written instructions received by him from Panchayat Secretary, Rajampalli Gram Panchayat stating that Gram Panchayat has not granted any permission for construction being undertaken upon the said land and that notice dated 18.02.2026 was issued to respondent No.12 calling for her explanation and directing her to stop construction work. In compliance thereto, construction activities have been stopped and respondent No.12 informed that she had applied under Layout Regularization Scheme (L.R.S).

7. Learned Standing Counsel for respondent No.11 informs that application filed by respondent No.12 seeking conversion of land use from agricultural to non-agricultural purposes was rejected on 14.09.2023. Therefore, there is no question of accepting application under Layout Regularization Scheme in the absence of change of land use. It is further stated by learned Standing Counsel that necessary steps shall be taken to ensure that no illegal construction is carried out.

8. Keeping in view the facts and circumstances as above, present appeal is disposed of in terms of the statements as have been made by learned counsel for respondent Nos.9 to 11. No order as to costs.

Miscellaneous Petitions pending, if any, shall stand closed.

LISA GILL, CJ

CHALLA GUNARANJAN, J

AMD

Whether the order is Speaking/Reasoned : Yes / No

Whether the order is Reportable : Yes / No

HON'BLE MRS. JUSTICE LISA GILL, CHIEF JUSTICE
&
HON'BLE MR. JUSTICE CHALLA GUNARANJAN

WRIT APPEAL No.929 of 2025

Dt:29.10.2026

AMD