



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

[3579]

WRIT APPEAL No: 513 OF 2026

Between:

1. Rasipogula Nagaraju and five others

...APPELLANTS

AND

1. Abdul Rasul Shaik and seven others

...RESPONDENT(S):

**CORAM:- THE HON'BLE CHIEF JUSTICE Mrs.JUSTICE LISA GILL
THE HONOURABLE Mr.JUSTICE NINALA JAYASURYA**

DATE:- 6th May, 2026.

**PRESENT: Mr.Chiranjeevi Babu, Advocate for Appellants
GP for Panchayat Raj & Rural Dev.
GP for Home, GP for Revenue,
Mr.Mattegunta Sudhir, Standing Counsel for ZPPs., MPPs., Gram
Panchayats.**

The Court made the following JUDGMENT: *(Per Hon'ble Mr. Justice Ninala Jayasurya)*

Feeling aggrieved by order of learned Single Judge dated 01.12.2025 in W.P.No.11762 of 2023, appellants / third parties filed the present Writ Appeal.

2) 1st respondent filed said Writ Petition seeking to declare inaction of official respondents in not removing statue of Dr.B.R.Ambedkar installed in middle of 12 feet narrow road in Ward No.1 of Jaladurgam Village, Peapully Mandal, Nandyal District as illegal, violative of the orders of the Hon'ble Supreme Court in Special Leave to Appeal No(s).8519 of 2006 dated 18.01.2013 in I.A.No.10 of 2012 and G.O.Ms.No.18 dated 18.02.2013 and for consequential directions to remove the same. Gram Panchayat filed counter affidavit, wherein it was stated that some villagers without knowledge of Panchayat authorities installed statue overnight in a different place, which is about 10 feet away from marked place and is obstructing approach road. Learned Single Judge after considering pleadings and submissions, arrived at a conclusion that statue was erected 10 feet away from the earmarked place, thereby obstructing approach road. Holding that statue has been erected without obtaining proper permission, learned Single Judge disposed of Writ Petition with a direction to District Collector to follow guidelines prescribed in G.O.Ms.No.55, dated 08.04.2021 for removal of statue as expeditiously as possible.

3) Learned counsel for appellants made submissions *inter alia*, to the effect that order under Challenge is not sustainable, in as much as the same was passed by taking into consideration facts, which were not completely

disclosed in Writ Petition. It is his contention that pursuant to resolution dated 22.12.2022 passed by Gram Sabha, Jaladurgam allotting an extent of Ac.0-01 cents in Sy.No.854 for installation of statue of Dr.B.R.Ambedkar, 5th respondent, after enquiry, issued an Endorsement dated 24.12.2022 stating that land of an extent of Ac.0-01 cents in Survey No.854 as per resolution of Gram Panchayat has been allocated. Accordingly, Statue was installed in the land allocated in Sy.No.854, however same is sought to be removed on the premise that it was erected in the middle of road. He strenuously contends that photographs filed along with material papers clearly discloses that statue is away from C.C. road and rasta, does not cause obstruction to traffic or public utility. He also submits that in the light of the decision of learned Judge in ***Nelakudithi Venkatapathi Rao and Another Vs State of A.P., and Others***¹, no permission is required for installation of statue as the place on which statue was erected does not form part of either road or road margin or any sideway. In any event, he submits that Order under challenge was obtained by suppression of correct facts and behind back of appellants herein. Therefore, the same is liable to be set aside.

4) Per contra, learned standing counsel for Gram Panchayat as well as learned Government Pleader representing revenue authorities made submissions to sustain order under appeal. Learned standing counsel submits that Gram Sabha, in view of objections raised by villagers and elders, vide resolution dated 02.01.2023 cancelled its earlier resolution allocating land for installation of Dr.B.R.Ambedkar statue. Notwithstanding the same,

¹ 2016 LawSuit (Hyd) 31

statue was erected in the midnight in a different place, which is about 10 feet away from earmarked location and it is obstructing approach road. Learned Government Pleader, by drawing attention of this court to additional material documents filed by appellants along with Memo dated 04.05.2026, submits that appellants approached Revenue Divisional Officer, Nandyal seeking permission for installation of statue in Government land, 5th respondent also addressed a letter dated 31.03.2023 to 3rd respondent-District Collector seeking orders for grant of permission to erect / install Dr.B.R.Ambedkar statue. However, on midnight of 13.04.2023, without permission, statue was installed. He submits that in the facts and circumstances of the case, learned Single Judge had not committed any error in issuing directions, that same are valid, legal and sustainable. Accordingly, dismissal of writ Appeal was prayed for, as it is devoid of merits.

5) This Court has considered submissions made and perused material on record.

6) At the outset, it is pertinent to mention that there is no dispute with regard to resolution of Grama Sabha dated 22.12.2022. The said resolution was subsequently cancelled by another resolution dated 02.01.2023. Meanwhile, 5th respondent – Tahsildar issued Endorsement dated 24.12.2022 referred to above. In view of cancellation of earlier resolution dated 22.12.2022, which is not disputed by appellants, reliance on said resolution or Endorsement dated 24.12.2022 is of no consequence. Be that as it may.

7) A perusal of material on record clearly discloses that on 13.02.2023, 2nd appellant along with others addressed a letter to Revenue Divisional Officer,

Nandyal, with a request to grant permission for installation of statue in Government land and make arrangements to enable its installation without any obstructions. 5th respondent referring to said letter dated 13.02.2023, addressed a communication to 3rd respondent / District Collector seeking necessary instructions for submitting proposals for grant of permission to install Dr.B.R.Ambedkar statue. While that being the position, statue was installed in the midnight of 13.04.2023 without any permission, in an area stated to be in the middle right side of the vacant site existing between two roads as per version / counter affidavit of 5th respondent. Learned counsel for appellants tacitly admits that installation was carried out on the eve of Dr.B.R.Ambedkar's birthday. However, he emphatically contends that in fact, no permission at all is required for erection of statue and G.O.Ms.No.18 dated 18.02.2013 has no application.

8) In ***Nelakudithi Venkatapathi Rao case (1 supra)*** relied on by him, learned Judge was examining issue as to whether subject matter place in the Writ Petition in which statue was proposed to be erected would fall in any of the places referred to in G.O.Ms.No.18, dated 18.02.2013. Learned Judge referring to photos filed by respondent No.4 therein opined that it clearly proves falsity of petitioner's case that the site on which statue is proposed to be erected will lead to traffic congestion. In the facts of said case, the plea of respondents that site on which statue is proposed to be erected does not form part of either road or road margin or any side way was accepted. Said decision is of no help to appellants herein, in the present factual scenario.

9) In the case on hand, rough sketch filed along with material papers would go to show that subject matter statue was erected on rastha leading to road where Edgah is located. Leaving apart, as to whether statue was installed on the rastha or a side margin of rastha / road, undisputed facts are Gram Panchayat cancelled its resolution of allocation of land and installation was completed without permission. If no permission is required as contended, the question of appellants approaching Gram Panchayat and revenue authorities seeking permission for installation of statue does not arise at all.

10) Further, it is not the case of appellants that statue was sought to be installed in a private land. Admittedly, a request was made to Gram Panchayat, which in turn through resolution of Gram Sabha allocated land of an extent of Ac.0-01 cents in Sy.No.854 of Jaladurgam village. Later, it cancelled earlier resolution. In spite of the same, as noted earlier, 2nd appellant made a request through representation dated 13.02.2023 to Revenue Divisional Officer, wherein it was categorically stated that land is "Government land" and permission may be accorded for installation of statue by making arrangements to proceed with the same without obstructions. It is pertinent to state here that land in question where statue was sought to be erected is located near Edgah, near K.E.Colony, Jaladurgam village. On the information furnished by Sub-Inspector of Police, Jaladurgam, 5th respondent passed orders dated 23.03.2023 under Section 145 Cr.P.C. to maintain peace and tranquillity in the village. While said order was in operation, it is not in dispute that statue was installed in the midnight of 13.04.2023. Thus, installation of statue was carried out not only without any permission, but also

without regard to orders under Section 145 of Cr.P.C. issued to avoid commotion and disturbance to public peace and tranquillity in the village. In such circumstances, the contentions that the order under challenge is unsustainable cannot be appreciated. Shifting of statue sub-serves interest of villagers at large.

11) Considering the matter in its entirety, in the facts and circumstances of the case, this Court see no illegality in the order under challenge.

12) However, in the interest of justice, Writ Appeal is disposed of directing that 3rd respondent and other authorities to ensure that statue of Dr.B.R.Ambedkar is shifted from the subject matter area with due respect, care and caution, strictly in terms of relevant Government orders and kept in a safe area, till an alternative site is identified and permission for erection is accorded.

13) Expeditious action in terms of aforesaid directions shall be initiated and completed within a period of two (02) months from the date of receipt of a copy of this Order. No costs.

14) Consequently, Miscellaneous Applications pending, if any, shall also stand closed.

(LISA GILL)
CHIEF JUSTICE

(NINALA JAYASURYA)
JUDGE

Date: 06.05.2026
Ssv

THE HONOURABLE CHIEF JUSTICE Mrs.LISA GILL
THE HONOURABLE Mr.JUSTICE NINALA JAYASURYA

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