



**IN THE HIGH COURT OF ANDHRA PRADESH AT AMARAVATI
(SPECIAL ORIGINAL JURISDICTION)**

**THURSDAY, THE NINTH DAY OF FEBRUARY
TWO THOUSAND AND TWENTY THREE**

:PRESENT:

**THE HONOURABLE SRI JUSTICE GANNAMANENI RAMAKRISHNA PRASAD
WRIT PETITION NO: 574 OF 2023**

Between:

1. Gujju Vijaya Kumari, W/o Sanjeeva Reddy, aged. 60 yrs, R/o D.No.8-61-8/1, Vidyanagar Colony, OLD CBI 14 Lane, Visakhapatnam, Visakhapatnam District.
2. Busa Suryakantham, W/o Late Sriramulu, aged. 80 yrs, R/o Flat No. G-3, Sri Vasta Residency, 39-18-85/1, Madhavadhara, Visakhapatnam, Visakhapatnam District.
3. Maddela Nirmala, W/o Late Rajulu, Age. 50 yrs, R/o D.No.9-9-43/5/1, Managapuram Colony, Visakhapatnam, Visakhapatnam District.

Petitioners

AND

1. The State of Andhra Pradesh, Rep. by its Principal Secretary, Department of Municipal Administration and Urban Development, Secretariat, Velagapudi, Amaravati, Guntur District.
2. The Greater Visakhapatnam Municipal Corporation, Visakhapatnam, Visakhapatnam District.
3. The Andhra University, Rep. by its Registrar, Visakhapatnam

Respondents

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 writ, order or direction more particularly one in the nature of Writ of Mandamus declaring highhanded and illegal action on the part of the respondents particularly the 3rd respondent in entering into the petitioners' land situated in an extent of 40 Sq.Yds and 120 Sq. Yds respectively situated in TS No.54/1 and 2, Block No.5, of Walter Ward No. II, Near Polamba Temple Area, Peda Walter, Visakhapatnam along with their men and police force and in demolishing the structures existing there in with the help of JCB Proclainer during midnight and in construction of compound wall around the property and in laying road etc., in it without issuing any notice and without following due process of law, as illegal, arbitrary, unjust, malafide and against the principles of Natural Justice besides violation of Article 14, 21 and 300-A of Constitution of India and to consequently direct the respondents not to interfere with the possession and enjoyment of the petitioners in respect of the subject properties in any manner including demolition of the existing structures and not to make any constructions in it, in the interest of justice

IA NO: 1 OF 2023

Petition under Section 151 CPC praying that in the circumstances stated in the affidavit filed in support of the WRIT petition, the High Court may be pleased to direct the respondents not interfere with the possession and enjoyment of the petitioners' land situated in an extent of 40 Sq.Yds and 120 Sq. Yds respectively situated in TS No.54/1 and 2, BlockNo.5, of Walter Ward No. II, Near Polamba Temple Area, Peda Walter, Visakhapatnam, in any manner and not to make any further constructions in it, during the pendency of the writ petition in the interest of justice, pending disposal of WP No. 574 of 2023, on the file of the High Court.

The petition coming on for hearing, upon perusing the Petition and the affidavit filed in support thereof and the orders of the High Court order dated 05.01.2023 & 23.01.2023 made herein and upon hearing the arguments of Sri K JYOTHI PRASAD Advocate for the Petitioner, GP for Municipal Administration for the respondent No.1, Sri S.Lakshmi Narayana Reddy, advocate for the respondent no.2 and Sri V.Sai Kumar, advocate, for the respondent no.3, the court made the following

ORDER:

" Let Counter- Affidavit be filed within three weeks. One week thereafter for filing Re-Joinder, if any.

2. List the matter under the caption " Complete Matters."

3. Parties are directed to file short Synopsis, List of Dates and Citations.

4. Interim Order granted earlier shall stand extended till the next date of hearing."

Sd/- P. VINOD KUMAR
ASSISTANT REGISTRAR

//TRUE COPY//

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SECTION OFFICER

To,

1. One CC to SRI. K JYOTHI PRASAD Advocate [OPUC]
2. Two CCs to GP FOR MUNICIPAL ADMN URBAN DEV ,High Court Of Andhra Pradesh. [OUT]
3. One CC to SRI. S. Lakshmi Narayana Reddy, Advocate [OPUC]
4. One CC to SRI. V. Sai Kumar, Advocate [OPUC]
5. One spare copy

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HIGH COURT

GRKP.J

DATED:09.02.2023

List the matter under the caption " Complete Matters."

ORDER

WP.No.574 of 2023

INTERIM ORDER EXTENDED

