

APHC010011882026



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

[3328]

TUESDAY, THE TWENTIETH DAY OF JANUARY
TWO THOUSAND AND TWENTY SIX

PRESENT

**THE HONOURABLE SRI JUSTICE GANNAMANENI RAMAKRISHNA
PRASAD**

WRIT PETITION NO: 803/2026

Between:

1. LINGAMSETTY VENKATESWARA RAO, , S/O. ESWAR RAO, AGED ABOUT 42 YEARS, R/O. D.NO.16-1-130, KUMMARI BAZAR, OLD GUNTUR, GUNTUR, GUNTUR DISTRICT, ANDHRA PRADESH 522 001. (SHOP NO.3200051),
2. ANCHURI VENKATA REDDY, , S/O. RAMI REDDY, AGED ABOUT 26 YEARS, F/O. D.NO.2-93, REDDYPALEM, PEDAKAKANI, GUNTUR, ANDHRA PRADESH 522 509. (SHOP NO.3200037)
3. SHAIK RABBANI,, S/O. RIYAZ BASHA, AGED ABOUT 22 YEARS, R/O. D.NO.22-9-80, ALLAM KHAN STREET, LALAPET, FRUIT MARKET, GUNTUR, GUNTUR DISTRICT, ANDHRA PRADESH 522 003. (SHOP NO.320008A).
4. BADDETI PRAVEEN KUMAR,, S/O. DAVID, AGED ABOUT 30 YEARS, R/O. D.NO.7-6-846/171, 9TH LANE, RAJIV GANDHI NAGAR, GUNTUR, ANDHRA PRADESH 522 002. (SHOP NO.3200040 (S
5. BANAVATH BHARGAVA RAM NAIK,, S/O. RAJA NAIK, AGED ABOUT 27 YEARS, R/O. D.NO.12-27-36, SEELAMVARI VEEDHI, KOTHAPET, GUNTUR, GUNTUR DISTRICT, ANDHRA PRADESH 522 001. (SHOP NO.320024A (ST))
6. PARASA KOTESWARA RAO,, S/O. SUNDARA RAO, AGED ABOUT 54 YEARS, R/O. D.NO.5-55-47, 21ST CROSS ROAD, 4TH LANE, ACHIAH BOMMA CENTRE BRODIPET, GUNTUR, GUNTUR DISTRICT, ANDHRA PRADESH 522 002. (SHOP NO.3200060 (ST))
7. PUTTA DURGA PRASAD,, S/O. ANJANEYULU, AGED ABOUT 51 YEARS, R/O.D.NO. 8-22-47/1, 2ND LANE, SEETHARAMA NAGAR, KOTHAPET, GUNTUR, GUNTUR DISTRICT, ANDHRA PRADESH 522

001. (SHOP NO.3200048)

- 8.KANAPARTHY PRASANTH RAJU,, S/O. SUDARSHANA RAO, AGED ABOUT 41 YEARS, R/O. D.NO.5-62, BUDAMPADU, GUNTUR, GUNTUR DISTRICT, ANDHRA PRADESH 522 017. (SHOP NO.3200012(SC))

...PETITIONER(S)

AND

- 1.THE STATE OF ANDHRA PRADESH, REP BY ITS PRINCIPAL SECRETARY, MUNICIPAL ADMINISTRATION AND URBAN DEVELOPMENT DEPARTMENT, SECRETARIAT BUILDINGS, VELAGAPUDI, AMARAVATHI. GUNTUR DISTRICT - 522238.
- 2.GUNTUR MUNICIPAL CORPORATION, REP. BY THE COMMISSIONER, KOTHAPET, OPP. GANDHI PARK, GUNTUR CITY, GUNTUR DISTRICT, ANDHRA PRADESH -522201.
- 3.THE ADDITIONAL COMMISSIONER, GUNTUR MUNICIPAL CORPORATION, KOTHAPET, OPP. GANDHI PARK, GUNTUR CITY GUNTUR DISTRICT, ANDHRA PRADESH 522201.
- 4.SRI LAKSHMI NARASIMHA VEGETABLE WHOLESALE MARKET, VARTHAKULA SANKSHEMA SANGHAM, GUNTUR, REP. BY ITS PRESIDENT YARRAMSETTY SATYANARAYANA, R/O. FLAT NO.502, SRI LAKSHMI BHEEMINENI APARTMENT, 1ST LANE, RAJENDRA NAGAR, GUNTUR CITY, GUNTUR DISTRICT, ANDHRA PRADESH-522006.

...RESPONDENT(S):

Counsel for the Petitioner(S):

- 1.VINOD KUMAR PEMMASANI

Counsel for the Respondent(S):

- 1.GP MUNICIPAL ADMN AND URBAN DEV AP

The Court made the following:

ORAL ORDER:

Heard Sri Srinivasa Rao B, learned Counsel appearing on behalf of Sri Vinod Kumar Pemmasani, learned Counsel for the Writ Petitioners, Sri M. Srinu Babu, learned Assistant Government Pleader for Municipal Administration and Urban Development and Sri Vijay Kumar S, learned Counsel representing Sri A.S.C. Bose, learned Standing Counsel for Guntur Municipal Corporation.

2. Learned Counsel for the Writ Petitioners has drawn the attention of this Court to the Open Public Auction Notice dated 02.08.2025 (Ex.P.3), in which the Petitioners have participated. Learned Counsel for the Writ Petitioners would submit that the condition for payment of 12 months' rent as goodwill has not been mentioned in the said Open Public Auction Notice. He would submit that the Petitioners are the successful bidders and the Respondents have imposed the condition of payment of 12 months' rent as goodwill which was not mentioned in the Auction Notice. He would submit that because of the nonpayment of the 12 months' rent as goodwill by the Petitioners, the Respondents have conducted another Auction that was held on 06.01.2026.

3. Learned Counsel for the Writ Petitioners would submit that the Petitioners have no objection in paying monthly rentals in terms of the conditions set out in the Open Public Auction Notice dated 02.08.2025, whereas it becomes burdensome on the part of the Petitioners to pay 12 months' rent in advance as goodwill.

4. Having considered the above conditions, this Court is of the opinion that the balance of convenience is in favour of the Writ Petitioners. Accordingly, the Auction held on 06.01.2026 shall be suspended till the next listing. There shall be a further direction to the Respondents not to cause any interference with the conduct of the business of the Writ Petitioners till the next listing.

5. It is indicated that the Writ Petitioners shall not cause any default in the deposit of monthly rentals.

6. Let Counter Affidavit be filed within two weeks. One week thereafter for filing Re-joinder, if any.
7. Registry is directed to print the name of Sri A.S.C. Bose as learned Standing Counsel for Guntur Municipal Corporation in the Cause-list.
8. List on 17.02.2026.

GANNAMANENI RAMAKRISHNA PRASAD, J

Dt: 20.01.2026

Vns