

[3328]

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

**THURSDAY, THE FIFTH DAY OF FEBRUARY
TWO THOUSAND AND TWENTY SIX**

:PRESENT:

**THE HONOURABLE SRI JUSTICE GANNAMANENI RAMAKRISHNA
PRASAD**

WRIT PETITION NO: 3319 OF 2026

Between:

Pitti Santhi, W/o Kumar Aged 45 years, Occ: Housewife, R/o H. No. 6-3-180, Malakonda Reddy Street, Pappula Veedhi, Stonehousepet, Nellore City, SPSR Nellore District- 524002.

Petitioner

AND

1. The State of Andhra Pradesh, Rep. by Principal Secretary, Municipal Administration, AP Secretariat, Velagapudi, Amaravathi, Guntur District.
2. The Nellore Municipal Corporation, represented by its commissioner, Nellore City, SPSR Nellore District.
3. The Town Planning Officer., Nellore Municipal Corporation, Nellore City, SPSR Nellore District.
4. The superintendent of Police, SPSR Nellore District, Nellore.
5. The Inspector of Police and Station House Officer, Nawabpet Police Station, Nellore City, SPSR Nellore District.
6. Lingaiahgari Lakshamma, W/o. Changalrayudu, R/o. Pappula Veedhi, Stonehousepet, Nellore City, SPSR Nellore District- 524002.

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 a writ, order or direction more particularly one in the nature of writ of mandamus under article 226 of the Constitution of India declaring the

action of the respondent Nos. 1 to 3 herein in allowing the 6th respondent to proceed with the irregular construction without leaving any setbacks in violation of the approved building plan and also encroaching the drainage canal and part of Malakonda Reddy Street, Pappula Veedhi, Stonehousepet, Nellore City and the further their inaction in considering the complaint made through Toll Free seva helpline No 1100 on 24-12-2025 and the representations dated 29-12-2025 & 05-01-2026 submitted by petitioner and other residents of the locality bring to their notice about the illegal construction undertaken by the 6th respondent herein in violation of the approved plan and also encroaching the drainage canal and part of Malakonda Reddy Street, having issued an endorsement dated 12-01-2026 and the action of the 5th respondent in threatening the family members of the petitioner not to interfere with the illegal construction undertaken by the 6th respondent, having issued an endorsement dated 08-01-2026 stating that the subject matter is civil in nature and that the complaint lodged by the 6th respondent was closed, as illegal, arbitrary and without jurisdiction and consequently direct the respondents 1 to 3 to forthwith stop the illegal construction of the 6th respondent and initiate action under Section 452 of Hyderabad Municipal Corporation Act 1955, and cause demolition of the violative portion of the construction and to remove the encroachment made by her in the public drainage canal and Malakonda Reddy Street and also direct the 5th respondent not to interfere in the Civil disputes between the petitioner and the 6th respondent herein.

IA NO: 1 OF 2026

Petition under Section 151 CPC is filed praying that in the circumstances stated in the grounds filed in support of the petition, the High Court may be pleased to direct respondents 1 to 3 herein to forthwith stop the illegal construction undertaken by the 6th respondent without leaving any setbacks in violation of the approved building plan and also encroaching the drainage canal and part of Malakonda Reddy Street, Pappula Veedhi,

Stonehousepet, Nellore City, Pending disposal of WP 3319 of 2026, 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 upon hearing the arguments of SRI P SRIDHAR REDDY, Advocate for the Petitioner, learned GP FOR MUNICIPAL ADMINISTRATION AND URBAN DEVELOPMENT for the Respondent No.1, Sri A.S.C. BOSE, Standing Counsel for the Respondent Nos.2&3, learned GP FOR HOME for the Respondent Nos.4&5, the Court made the following

ORDER:

Heard Sri P. Sridhar Reddy, learned Counsel for the Writ Petitioner and Sri S. Vijaya Kumar, learned Counsel representing Sri A.S.C. Bose, learned Standing Counsel for the Municipal Corporation.

2. Having noted the facts of the case and having perused the Approval Plan (Ex.P.8 at Page 41) and the Photographs (Ex.P.16), and also the Representation of the Petitioner dated 05.01.2026 (E.P.2), and the impugned Endorsement dated 12.01.2026 (Ex.P.1), there shall be a direction to the Town Planning Officer (Respondent No.3) to submit Written Instructions whether the subject building in this Writ Petition has been constructed in accordance with the Building Plan (Ex.P.8) or not.

3. Respondent No.3 (Town Planning Officer) is directed to inspect the Site and take necessary measures and submit specific Written Instructions in this regard.

4. List on 10.02.2026 in the Motion List.

5. Sri S. Vijaya Kumar, learned Counsel representing Sri A.S.C. Bose, learned Standing Counsel for the Municipal Corporation is

directed to convey the gist of this Order to Respondent Nos.2 and 3 forthwith for effective compliance.

//TRUE COPY//

For .

SD/- G.HELANAIDU
DEPUTY REGISTRAR

SECTION OFFICER

To,

1. The Principal Secretary, Municipal Administration, AP Secretariat, Velagapudi, Amaravathi, Guntur District, State of Andhra Pradesh (BY SPECIAL MESSENGER)
2. The Commissioner, Nellore Municipal Corporation, Nellore City, SPSR Nellore District.
3. The Town Planning Officer., Nellore Municipal Corporation, Nellore City, SPSR Nellore District.
4. The superintendent of Police, SPSR Nellore District, Nellore.
5. The Inspector of Police and Station House Officer, Nawabpet Police Station, Nellore City, SPSR Nellore District.
6. Lingaiahgari Lakshamma, W/o. Chandalrayudu, R/o. Pappula Veedhi, Stonehousepet, Nellore City, SPSR Nellore District- 524002.
(Addressee Nos.2 to 6 by SPEED POST)
7. One CC to SRI. P SRIDHAR REDDY Advocate [OPUC]
8. Two CCs to GP FOR MUNICIPAL ADMN URBAN DEV ,High Court Of Andhra Pradesh. [OUT]
9. One CC to Sri A.S.C. BOSE, STANDING COUNSEL [OPUC]
10. Two CCs to GP FOR HOME,High Court of Andhra Pradesh.
[OUT]
11. One CC to SRI S. VIJAY KUMAR, STANDING COUNSEL
[OPUC]
12. One spare copy

Kj

HIGH COURT

GRKP,J

DATED:05/02/2026

LIST ON 10.02.2026 IN THE MOTION LIST

ORDER

WP.No.3319 of 2026

DIRECTION

