



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

**[3330]**

THURSDAY, THE FIFTH DAY OF MARCH  
TWO THOUSAND AND TWENTY SIX

**PRESENT**

**THE HONOURABLE SRI JUSTICE TARLADA RAJASEKHAR RAO**

**WRIT PETITION NO: 4603/2026**

**Between:**

1. KANAMARLAPUDI KOMALADEVI, W/O VENKATESWARLU, AGED ABOUT 41 YEARS, RIO KOTHAKALAVA CENTER, NARAYANAREDDYPETA AREA, NELLORE CITY, SPSR NELLORE DISTRICT- 524314.

**...PETITIONER**

**AND**

1. THE STATE OF AP, REP. BY ITS PRINCIPAL SECRETARY, MUNICIPAL ADMINISTRATION URBAN DEVELOPMENT DEPARTMENT, SECRETARIAT, VELAGAPUDI, AMARAVATI - 522238.

2. THE NELLORE MUNICIPAL CORPORATION, REP. BY ITS COMMISSIONER, NELLORE CITY, SPSR NELLORE DISTRICT- 524004. 3.

3. THE EXECUTIVE ENGINEER, APSPDCL, NELLORE DIVISION, SPSR NELLORE DISTRICT- 524004.

4. THE EXECUTIVE ENGINEER, ROADS BUILDINGS DEPARTMENT, NELLORE DIVISION, SPSR NELLORE DISTRICT- 524004

**...RESPONDENT(S):**

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 order, proceedings or writ more particularly one. in the

nature of Writ of Mandamus, declaring the action of the respondent authorities, in threatening to demolish the petitioner's residential-cum-commercial building situated in Survey No.388/1, Narayanareddypeta Area, Nellore City, Sri Potti Sriramulu Nellore District, on the pretext of laying electrical lines over the first floor portion and for alleged road widening in respect of the ground floor shed, without issuing any notice, without conducting any survey, without demarcation of boundaries, without initiating any acquisition or statutory proceedings, and without following due process of law, despite the petitioner being the absolute owner in settled possession under a registered Settlement Deed dated 01.08.2022 and having constructed a ground floor and first floor building and regularly paying municipal property tax and also holding electricity service connections for both ground floor and first floor portions, as illegal, arbitrary, irrational and violative of the principles of natural justice and the fundamental rights guaranteed under Articles 14, 21 and 300-A of the Constitution of India, and it is consequently prayed to direct the respondents to restrain from taking any coercive steps including demolition pursuant to the said illegal threats, to follow due process strictly in accordance with law, and further to restrain the respondents from in any manner interfering with the petitioner's peaceful possession and enjoyment of the subject property, and to pass

### **IA NO: 1 OF 2026**

Petition under Section 151 CPC praying that in the circumstances stated in the affidavit filed in support of the petition, the High Court may be pleased to direct the respondents to restrain from taking any coercive steps including demolition pursuant to the said illegal threats, to follow due process strictly in accordance with law, and further to restrain the respondents from in any manner interfering with the petitioner's peaceful possession and enjoyment of the subject property, and to pass

### **Counsel for the Petitioner:**

- 1.G V S KISHORE KUMAR

### **Counsel for the Respondent(S):**

- 1.GP FOR ROADS BUILDINGS
- 2.VENKATA RAMA RAO KOTA SC FOR APSPDCL
- 3.A S C BOSE (SC FOR MUNICIPAL CORPORATIONS AP)
- 4.GP MUNICIPAL ADMN AND URBAN DEV AP

### **The Court made the following:**

**THE HONOURABLE SRI JUSTICE TARLADA RAJASEKHAR RAO****WRIT PETITION No.4603 OF 2026****ORDER:**

The present Writ Petition is filed under Article 226 of the Constitution of India seeking the following relief:

“...pleaded to issue an order, proceedings or writ more particularly one in the nature of ‘Writ of Mandamus’, declaring the action of the respondent authorities, in threatening to demolish the petitioner's residential-cum-commercial building situated in Survey No.388/1, Narayanareddypeta Area, Nellore City, Sri Potti Sriramulu Nellore District, on the pretext of laying electrical lines over the first floor portion and for alleged road widening in respect of the ground floor shed, without issuing any notice, without conducting any survey, without demarcation of boundaries, without initiating any acquisition or statutory proceedings, and without following due process of law, despite the petitioner being the absolute owner in settled possession under a registered Settlement Deed dated 01.08.2022 and having constructed a ground floor and first floor building and regularly paying municipal property tax and also holding electricity service connections for both ground floor and first floor portions, as illegal, arbitrary, irrational and violative of the principles of natural justice and the fundamental rights guaranteed under Articles 14, 21 and 300-A of the Constitution of India, and it is consequently prayed to direct the respondents to restrain from taking any coercive steps including demolition pursuant to the said illegal threats, to follow due process strictly in accordance with law, and further to restrain the respondents from in any manner interfering with the petitioner's peaceful possession and enjoyment of the subject property, and to pass such other order or orders...”

2. The present writ petition is filed challenging the action of the respondent authorities in threatening to demolish the petitioner's residential-cum-commercial building situated in Survey No.388/1, Narayanareddypeta Area, Nellore City, Sri Potti Sriramulu Nellore District, on the pretext of laying electrical lines over the first-floor portion and for alleged road widening in

respect of the ground-floor shed, without issuing any notice, without conducting any survey, without demarcation of boundaries, without initiating any acquisition or statutory proceedings, and without following due process of law.

3. It is narrated that the petitioner is the absolute owner and in settled possession under a registered Settlement Deed dated 01.08.2022 and constructed a ground floor and first floor building and regularly paying municipal property tax and also holding electricity service connections for both ground floor and first floor portions.

4. Heard Sri G.V.S.Kishore Kumar, learned counsel for petitioner and learned Government Pleader for respondents.

5. When the matter is listed before this Court on 23.02.2026, this Court specifically propounded to the learned Assistant Government Pleader to inform the respondent authorities not to take any coercive steps against the petitioner's subject property and directed to list the matter on 25.02.2026. On 25.02.2026, learned counsel for petitioner would submit that the respondent authorities have violated the orders of this Court and partially damaged the petitioner's property. Hence, this Court directed the respondents to appear before this Court.

6. Accordingly, respondent Nos.2 to 4 appeared before this Court and they have admitted the violation of the order of this Court and requested not to

initiate any contempt case, and also stated that the respondents 2 to 4 will file an affidavit tendering an unconditional apology.

7. The learned counsel for respondents has given an oral undertaking that the respondents 2 to 4 will file an affidavit undertaking to tender an unconditional apology. Consequently, this Court withdraws from initiating contempt proceedings. The respondents are directed to file an affidavit tendering an unconditional apology, with a further direction to the respondents 2 to 4 to pay costs of Rs.10,000/-(Rupees ten thousand only) each, to the petitioner within a period of one week from the date of receipt of a copy of this order.

8. The present Writ Petition is disposed of directing the respondents to follow due process of law, if at all they intend to dispossess the petitioner. There shall be no order as to costs.

9. Learned counsel for respondent Nos.2 to 4 are directed to file affidavit for tendering an unconditional apology.

10. For filing affidavit, list the matter next week.

As a sequel thereto, miscellaneous petitions pending, if any, shall stand closed.

---

**JUSTICE TARLADA RAJASEKHAR RAO**

Date: 05.03.2026  
KBN

**11**

**THE HON'BLE SRI JUSTICE TARLADA RAJASEKHAR RAO**

**WRIT PETITION No.4603 of 2026**

**Date: 05.03.2026**

Date: 05.03.2026  
KBN