



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

**TUESDAY, THE TWENTY FOURTH DAY OF FEBRUARY  
TWO THOUSAND AND TWENTY SIX**

**: PRESENT:**

**THE HONOURABLE SRI JUSTICE GANNAMANENI RAMAKRISHNA PRASAD  
WRIT PETITION NO: 5354 OF 2026**

**Between:**

Shaik Hassan Basha (Bashi), S/o.Saleha, aged about 45 years, Occ:  
Business, Joint Secretary, Haleem and Falooda Stalls, Welfare Association  
committee, R/o.8-13-35, Kattavari Street, Wynchipeta, Vijayawada-, NTR  
District.

**Petitioner**

**AND**

1. The State of Andhra Pradesh, Rep by its Special Chief Secretary,  
Municipal Administration and Urban Development Department,  
Secretariat Buildings, Velagapudi, Amaravathi Guntur District- 522241
2. The District Collector, O/o Collectorate, Old Sub Collector Office, MG  
Road Vijayawada NTR District - 520010
3. The Sub Collector, Opp: Radio Station Old Montessori School, MG  
Road Vijayawada NTR District - 520010
4. Vijayawada Municipal Corporation, Rep by its Commissioner,  
Jawaharlal Nehru Building Complex, Vijayawada NTR District - 520001
5. The City Planner, Vijayawada Municipal Corporation, Vijayawada NTR  
District 520001
6. The Commissioner of Police, Pingali Venkaiah Marg, Near PWD  
Grounds, Suryaraopeta, Buckinghampeta, Vijayawada NTR District -  
520002

7. The Deputy Educational Officer, K-Section, Vijayawada Municipal Corporation, Jawaharlal Nehru Building Complex, Vijayawada NTR District-520001
8. The Superintendent Engineer, Andhra Pradesh Central Power Distribution Corporation Ltd, Near PW D Grounds, Vijayawada, NTR District 520001
9. The Assistant Engineer, Electricity Department APCPDCL, Vijayawada-West, NTR District 520001
10. The Head Master, Mohammadalipuram Municipal School, Near Gandhi Bomma, Wynchipet, Vijayawada, NTR District 520001

#### **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 or directions or orders more particularly Writ of Mandamus calling for the records pertaining to the impugned proceedings Rc.No.G5-120418/2025, dt.21.02.2026 issued by the 4<sup>th</sup> Respondent and set aside the same and consequentially declare the inaction of the Respondents in not giving NOC to the Petitioners' representation dated 24.11.2025 to run the Haleem Centre during Ramzan Festival with effect from 18.02.2026 to 20.03.2026 or until the sighting of the Moon by the members of the Petitioner's Society at Panja Centre, Mohd. Aleepuram High School, Opp: Hazia Masjid, Amma-Nayanamma Street, Wynchi Pet, Vijayawada-1 as illegal, arbitrary. Official bias and violative of Articles 14, 19, and 21 of the Constitution of India, in the interest of justice.

#### **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 suspend the impugned proceedings Rc.No.G5-120418/2025, dt.21.02.2026 issued by the 4<sup>th</sup> Respondent while directing the Resondents to allow the Petitioner to run~~e~~ Haleem Center in the name 7 style of "M/s Z & S Bahsi Haleem Center" to run the Haleem Centre during Ramzan Festival with effect from 18.02.2026 to 20.03.2026 or until the sighting of the Moon at Panja Centre, Mohd. Aleepuram High School, Opp: Hazia Masjid, Amma-Nayanamma Street, Wynchi Pet, Vijayawada-1, in the interest of justice, Pending disposal of WP No.5354 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 M/s Corpus Juris Law Panel LLP, Advocate for the Petitioner, and of GP for MA & UD for Respondent No.1, and of Sri Abdul Matheen, Junior Standing Counsel for APEPDCL for Respondent Nos. 8 and 9, and of Sri S.V.S.S Siva Ram, Standing Counsel for Respondent Nos. 4 & 5, Advocate for the Respondent(s) and the Court made the following.

### **ORDER**

**Heard Sri Dr. M.V. Raja Raam, Ld. Counsel appearing on behalf of M/s. Corpus Juris Law Panel, for the Writ Petitioner, Sri Goli G.V.S. Sai, Ld. Counsel appearing on behalf of Sri S.V.S.S. Siva Ram, Ld. Standing Counsel for the Vijayawada Municipal Corporation (Respondent No.4) and Sri Abdul Matheen, Ld. Junior Standing Counsel for the APEPDCL for the Respondent Nos. 8 and 9.**

**2. Sri Goli G.V.S. Sai, Ld. Counsel appearing for the Vijayawada Municipal Corporation has submitted the Written Instructions dated 23.02.2026 along with certain documents furnished by the Commissioner, Vijayawada Municipal Corporation along with certain documents. Copies of it are supplied to the Ld. Counsel for the Writ Petitioner and the same are taken on record.**

3. One of the document furnished along with Written Instructions is the Proceeding dated 09.02.2026 which permitted the Writ Petitioner's Association namely 'Haleem and Falooda Stalls Welfare Association Committee' to erect about 35 stalls for the period commencing from 18.02.2026 to 20.03.2026 and the same shall be removed on the very next date i.e., on 21.03.2026. Condition No.3 indicates that the stall shall be confined only to 35 in number and shall not exceed in any case. This Court has also perused other condition Nos. 5 to 12. Condition No.2 also would indicate that the stalls shall be erected within the marking given by the Town Planning Officer, Vijayawada Municipal Corporation.

4. It is the submission of the Ld. Counsel for the Municipal Corporation that the marking has been done by the Municipal Corporation for erecting stalls, whereas, the persons who erected the stalls have violated the conditions and installed the stalls beyond the marking area. It is also the submission of the Ld. Counsel for the Respondent Corporation that when 35 in number are permitted, the shops/stalls erected are in excess and about 45 shops/stalls have been erected which is in violation of the conditions. Although, the parties have produced various photographs, Ld. Counsel for the Respondent Corporation has also drawn the attention of this Court to page No.25 of the paper book in which the Corporation has suggested the stalls to be erected only on one side of the road for ensuring safety passage for the Fire-Extinguisher. He would submit that now the stalls have been erected on either side of the road, thereby, it is causing obstruction for free passage to the Fire Extinguisher in the event of fire.

5. Sri Dr. M.V. Raja Raam, Ld. Counsel for the Writ Petitioner has drawn the attention of this Court to an Endorsement of the Respondent Corporation dated 18.02.2026. The said Endorsement would indicate that the 'Haleem and Falooda Stalls Welfare Association Committee' was directed to make the payments. Ld. Counsel for the Writ Petitioner has

also drawn the attention of this Court to the contents of Para-4 of the Legal Notice that the Town Planning Officer has demanded Rs.5,00,000/- for allowing the stalls to be erected, failing which, necessary permissions will be declined by the Respondent Authorities.

6. Having regard to the above facts, this Court is primarily concerned about the safety of the visitors and pedestrians on the road. Therefore, the Writ Petitioner representing the Association is directed to strictly comply with the conditions laid down by the Official Respondents dated 09.02.2026 and also the plan that is furnished by the Official Respondents (at page 25 of the Paperback).

7. The Writ Petitioner and the persons occupying the other stalls are also directed to 'conform' themselves to the markings made by the Corporation and not to cross the marking. If any of the stall owners violates the 'marking', the Corporation Authorities shall initiate appropriate action.

8. The Writ Petitioner and the Association Members shall confine the number of stalls to 35 only. Any stall or stalls in excess of 35 shall be removed within 24 hours from the date of uploading of this Order on the web-site of this Court. If the stall owners do not voluntarily remove the excess stalls, the Corporation shall clear them within 12 hours thereafter.

9. The Corporation is directed to conduct mock fire-drill on every afternoon without disturbing the evening visitors. The Petitioner Association Members are also directed to clear the stalls which are erected on another side of the road, as prescribed by the Respondent Corporation (Page 25 of the Paperback). If all these measures are not undertaken within 24 hours from the time that this Order is uploaded on

the web-site of the Court, the Corporation Officials shall initiate appropriate action against the vendors/stalls.

10. The Electricity Department is also directed to supply electricity connections only for 35 shops. In the event that the Writ Petitioners or any other persons have erected the stalls by violating the conditions and the directions given by the Respondent Corporation and this Court, the Department of Electricity shall snap the electricity connection to such stalls forthwith until the violations are rectified.

11. Ld. Counsel for the Writ Petitioner has also drawn the attention of this Court to the Legal Notice dated 17.02.2026. Since the Writ Petitioner Association has made strong allegations against the Town Planning Officer namely Smt. Rizwana, there shall be a direction to the Respondent Authorities to divest her from the assignment of overseeing the arrangements for one month period.

12. The Commissioner, Vijayawada Municipal Corporation is directed to conduct an Enquiry as regards the allegations made against the Town Planning Officer (in Para-5 of the Legal Notice dated 17.02.2026, Ex.P.6) and submit a Report within one week from today to this Court in a Sealed Cover (through the Standing Counsel).

13. List on 05.03.2026

//TRUE COPY//

SD/-SK MD RAFI  
DEPUTY REGISTRAR  
*Ar*  
SECTION OFFICER

To,

1. The Special Chief Secretary, State of Andhra Pradesh, Municipal Administration and Urban Development Department, Secretariat Buildings, Velagapudi, Amaravathi Guntur District.- 522241
2. The District Collector, O/o Collectorate, Old Sub Collector Office, MG Road Vijayawada NTR District - 520010
3. The Sub Collector, Opp Radio Station Old Montessori School, MG Road Vijayawada NTR District - 520010
4. The Commissioner, Vijayawada Municipal Corporation, Jawaharlal Nehru Building Complex, Vijayawada NTR District - 520001
5. The City Planner, Vijayawada Municipal Corporation, Vijayawada NTR District 520001
6. The Commissioner of Police, Pingali Venkaiah Marg, Near PWD Grounds, Suryaraopeta, Buckinghampeta, Vijayawada NTR District - 520002
7. The Deputy Educational Officer, K-Section, Vijayawada Municipal Corporation, Jawaharlal Nehru Building Complex, Vijayawada NTR District-520001
8. The Superintendent Engineer, Andhra Pradesh Central Power Distribution Corporation Ltd, Near PW D Grounds, Vijayawada, NTR District 520001
9. The Assistant Engineer, Electricity Department APCPDCL, Vijayawada-West, NTR District 520001
10. The Head Master, Mohammadalipuram Municipal School, Near Gandhi Bomma, Wynchipet, Vijayawada, NTR District 520001 (1 to10 by RPAD)

11. One CC to M/s Corpus Juris Law Panel LLP, Advocate [OPUC]
12. One CC to Sri S.V.S.S Siva Ram, Standing Counsel [OPUC]
13. One CC to Sri Abdul Matheen, Jr Standing Counsel [OPUC]
14. Two CCs to GP for Municipal Admn & Urban Dev, High Court of Andhra Pradesh [OUT]
15. One spare copy



**HIGH COURT**

**GRKP, J**

**DATED: 24/02/2026**

**LIST ON 05.03.2026**

**ORDER**

**WP.NO.5354 OF 2026**

**INTERIM DIRECTION**

