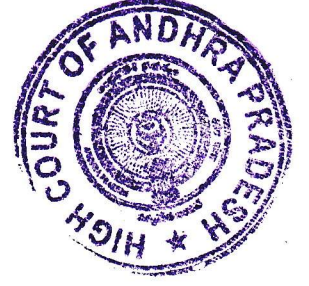


IN THE HIGH COURT OF ANDHRA PRADESH :: AMARAVATI
(Special Original Jurisdiction)

FRIDAY, THE NINTH DAY OF MAY
TWO THOUSAND AND TWENTY FIVE



PRESENT
THE HONOURABLE SRI JUSTICE NYAPATHY VIJAY

WRIT PETITION NO: 5643 OF 2023

Between:

Pathan Habibulla Khan, S/o Noor Khan, Aged about 64 years, Occ.
Business, Resident of D.No.2-3-3, Market Street, 4th Ward, Ponnur
town and Mandal, Guntur District.

...Petitioner

AND

1. The State of Andhra Pradesh, Rep. by its Principal Secretary, Municipal Administration and Urban Development Dept., Secretariat, Velagapudi, Amaravathi.
2. The District Collector, Guntur District at Guntur.
3. The Ponnur Municipality, Rep. by its Commissioner, Ponnur, Guntur District.
4. The Tahsildar, Ponnur Mandal, Guntur District.
5. The Chairman, A.P. State Wakf Board, 4th Floor, Imdadghar Building, Kaleswara Rao Market, Tarapet, Vijayawada, NTR District.
6. Sri Shaik Mohammad @ Mamu, President, Ponnur Anjuman-E-Eslamia Welfare Society, Beside Abdul Kalam Shadi Khana, 4th Ward, Ponnur Municipality, Guntur District.
7. Sri Kilari Venkata Rosaiah, Member of Legislative Assembly, Ponnur Assembly Constituency, Ponnur, Guntur District.

...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 declaring the action of the respondents 3 to 5 in allowing the 6th respondent to make construction of shopping complex in an extent of Ac.0.05 cents out of Ac.1.65 cents, situated in Sy.No.396/1, Ponnur Municipality and Mandal, Guntur District with the support of the 7th respondent pending disposal of the representations dt. 02-01-2023 requesting not to grant any permission for construction of shopping complex in the Burial Ground of Muslim Community is illegal, arbitrary and unconstitutional and violation of principles of natural justice and consequently direct the respondents 2 to 5 not to permit the 6th respondent for construction of shopping complex in burial ground.

IA NO: 1 OF 2023

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 2 to 5 not to permit the 6th respondent in proceeding with the construction of shopping complex in burial ground in an extent of Ac.0.05 cents out of Ac.1.65 cents, situated in Sy.No.396/ 1, Ponnur Municipality and Mandal, Guntur District by demolishing the compound wall and Arch, pending disposal of the writ petition.

Counsel for the Petitioner: SRI. VUTUPALLI RAJANNA

**Counsel for the Respondent No.1: GP FOR MUNICIPAL ADMN URBAN
DEV**

Counsel for the Respondent No.2 and 4: GP FOR REVENUE

**Counsel for the Respondent No. 3: SRI A S C BOSE SC FOR
MUNCIPALITIES**



Counsel for the Respondent No. 5: SRI S ARIFULLAH SC for WAQF BOARD

Counsel for the Respondent No.6: SRI K INDRANEEL BABU

The Court made the following order:



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

[3233]

**FRIDAY ,THE NINTH DAY OF MAY
TWO THOUSAND AND TWENTY FIVE**

PRESENT

THE HONOURABLE SRI JUSTICE B KRISHNA MOHAN

WRIT PETITION NO: 5643/2023

Between:

Pathan Habibulla Khan

...PETITIONER

AND

The State Of Andhra Pradesh and Others

...RESPONDENT(S)

Counsel for the Petitioner:

1.VUTUPALLI RAJANNA

Counsel for the Respondent(S):

1.GP FOR MUNCIPAL ADMN URBAN DEV

2.GP FOR REVENUE

3.KARUMANCHI INDRANEEL BABU

4.M MANOHAR REDDY (SC FOR MUNC AND MUNC CORP)

5.S ARIFULLAH (SC FOR AP WAQF BOARD)

The Court made the following:

HON'BLE SRI JUSTICE NYAPATHY VIJAY

WRIT PETITION No.5643 of 2023

ORDER:

1. The present Writ Petition is filed to declare the action of the Respondent Nos.3 to 5 in allowing the Respondent No.6 to make construction of shopping complex in an extent of Ac.0.05 cents out of Ac.1.65 cents situated in Sy.No.396/1, Ponnur Municipality and Mandal, Guntur District, as illegal and arbitrary.

2. At the time of hearing, M/s. Vutupalli Rajanna, learned counsel for the Petitioner seeks permission of the Court to withdrawn the Writ Petition.

3. Permission is accorded.

4. Accordingly, the Writ Petition is dismissed, as withdrawn.

5. No orders as to costs.

As a sequel, pending applications, if any, shall stand closed.

//TRUE COPY//

Sd/- U. SRIDEVI
ASSISTANT REGISTRAR

SECTION OFFICER

To,

1. One CC to Sri. Vutupalli Rajanna Advocate [OPUC]
2. One CC to Sri. K Indraneel Babu Advocate [OPUC]
3. One CC to Sri. ASC Bose SC for Municipalities [OPUC]
4. Two CCs to GP for Municipal Admin Urban Dev ,High Court Of Andhra Pradesh. [OUT]
5. Two CCs to GP for Revenue, High Court Of Andhra Pradesh. [OUT]
6. Three CD Copies

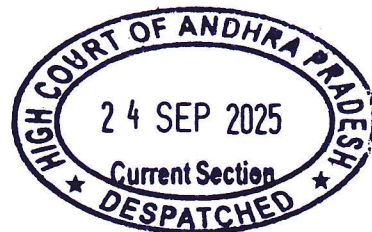
GSC

HIGH COURT

DATED:09/05/2025

ORDER

WP.No.5643 of 2023



DISMISSING THE WP AS WITHDRAWN

WITHOUT COSTS