

IN THE HIGH COURT OF ANDHRA PRADESH :: AMARAVATI

(Special Original Jurisdiction)

WEDNESDAY, THE NINETEENTH DAY OF MARCH

TWO THOUSAND AND TWENTY FIVE

PRESENT

THE HON'BLE SRI JUSTICE NYAPATHY VIJAY

WRIT PETITION NO: 6942 OF 2025



Between:

Jakka Srinivasa Rao, S/o. Jakka Brahmaiah, Aged about 58 years, Occ Business, R/o.D.No.22-7-163, Near Fruit Market, Lalapeta, Guntur, Guntur District.

...PETITIONER

AND

1. The State of Andhra Pradesh, Represented by its Principal Secretary, Municipal Administration and Urban Development Department, Secretariat Buildings, Velagapudi, Amaravathi, Guntur District
2. The Guntur Municipal Corporation, Represented by its Commissioner, Guntur Municipal Corporation Office, 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 or order or direction more particularly one in the nature of WRIT OF MANDAMUS declaring the action of the Respondents herein particularly Respondent No.2 in touching upon the/ Petitioners building situated at D.No.5-98-50, Brodipet, Guntur, Guntur District, (Shop No. 114 given by Municipality), and giving markings without having any right or authority high handedly and subjecting the Petitioner to distress as nothing but illegal, erroneous, highhanded and violative of Article 14, 19(i)(g), 21 and

300 A of the Constitution of India consequently direct the Respondents much less the Respondent No.2 not to meddle with the Petitioners building situated at D.No.5-98-50, Brodipet, Guntur, Guntur District, (Shop No. 114 given by Municipality), without following the procedure contemplated under The Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013.

IA NO: 1 OF 2025

Petition under Section 151 CPC praying that in the circumstances stated in the affidavit filed in support of the writ petition, the High Court may be pleased to direct the Respondent No.2 not to meddle with the Petitioners peaceful possession and enjoyment of the building situated at D.No.5-98-50, Brodipet, Guntur, Guntur District, (Shop No. 114 given by Municipality), without following the procedure contemplated under The Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013, pending disposal of the above writ petition.

Counsel for the Petitioner: SRI A K KISHORE REDDY

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

Counsel for the Respondent No.2: SRI A S C BOSE (SC FOR MUNICIPAL CORPORATION)

The Court made the following: ORDER

APHC010128792025



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

[3460]

**WEDNESDAY ,THE NINETEENTH DAY OF MARCH
TWO THOUSAND AND TWENTY FIVE**

PRESENT

THE HONOURABLE SRI JUSTICE NYAPATHY VIJAY

WRIT PETITION NO: 6942/2025

Between:

Jakka Srinivasa Rao

...PETITIONER

AND

The State Of Andhra Pradesh and Others

...RESPONDENT(S)

Counsel for the Petitioner:

1.A K KISHORE REDDY

Counsel for the Respondent(S):

1.GP FOR MUNICIPAL ADMN URBAN DEV

The Court made the following:

THE HONOURABLE SRI JUSTICE NYAPATHY VIJAY

WRIT PETITION NO: 6942 OF 2025

ORDER:

This Writ Petition is filed under Article 226 of the Constitution of India, seeking the following relief:

".....to declare the action of the Respondents herein particularly Respondent No 2 in touching upon the Petitioners building situated at DNo. 5-98-50, Brodipet, Guntur, Guntur District (Shop No.114 given by Municipality) and giving markings without having any right or authority high handedly and subjecting the Petitioner to distress as nothing but illegal, erroneous, highhanded and violative of Article 14 19(i) (g), 21 and 300-A of the Constitution of India and consequently direct the Respondents much less the Respondent No 2 not to meddle with the Petitioners building situated at D No. 5-98-50, Brodipet, Guntur, Guntur District (Shop No 114 given by Municipality) without following the procedure contemplated under The Right to Fair Compensation and Transparency in Land Acquisition Rehabilitation and Resettlement Act 2013...."

2. Heard Mr. A.K.Kishore Reddy, learned counsel for the Petitioner and learned Government Pleader for Municipal Administration and Urban Development Authority appearing for the respondents.
3. During hearing, learned counsel for the Petitioner would contend that this matter is squarely covered by this Court Order dated 04.03.2025 in W.P.No.5163 of 2025 and requested to pass similar order in this writ petition also. Learned Government Pleader for the respondents conceded the same.

4. Considering the submissions of learned counsel, this Writ Petition is disposed of in terms of the Order passed in W.P.No.5163 of 2025, dated 04.03.2025. There shall be no order as to costs.

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

The Registry is directed to annex a copy of the order in W.P.No.5163 of 2025, dated 04.03.2025 along with this order.

//TRUE COPY//

Sd/- J SAROJA
ASSISTANT REGISTRAR

SECTION OFFICER

To,

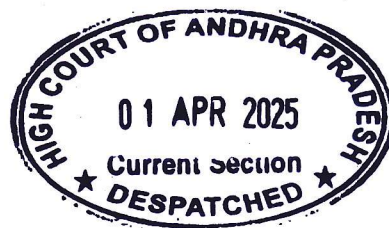
1. The Principal Secretary, State of Andhra Pradesh, Municipal Administration and Urban Development Department, Secretariat Buildings, Velagapudi, Amaravathi, Guntur District
 2. The Commissioner, Guntur Municipal Corporation, Guntur Municipal Corporation Office, Guntur District
 3. One CC to SRI A K KISHORE REDDY, Advocate [OPUC]
 4. Two CCs to GP FOR MUNICIPAL ADMN URBAN DEV, High Court of Andhra Pradesh [OUT]
 5. One CC to SRI A.S.C.BOSE, Advocate [SC FOR MUNICIPAL CORPORATION] [OPUC]
 6. Three C.D. Copies
- (along with the copy of the order dated 04-03-2025 in WP.No.5163 of 2025)
- nm

HIGH COURT

DATED:19/03/2025

ORDER

WP.No.6942 of 2025



DISPOSING OF THE WP WITHOUT COSTS

APHC010097112025



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

[3460]

**TUESDAY, THE FOURTH DAY OF MARCH
TWO THOUSAND AND TWENTY FIVE**

PRESENT

THE HONOURABLE SRI JUSTICE NYAPATHY VIJAY

WRIT PETITION NO: 5163/2025

Between:

Koppuravuri Mallikarjuna Rao

...PETITIONER

AND

The State Of Andhra Pradesh and Others

...RESPONDENT(S)

Counsel for the Petitioner:

1. A K KISHORE REDDY

Counsel for the Respondent(S):

1. GP MUNICIPAL ADMN AND URBAN DEV AP

The Court made the following order:

THE HON'BLE SRI JUSTICE NYAPATHY VIJAY**WRIT PETITION NO: 5163/2025****ORDER:**

1. The Writ Petition is filed to declare the action of the respondent No.2 in trying to interfere with the petitioner's building situated at D.No.6-19-15& 6-19-16, Arundalpet, Guntur, Guntur District, without following any procedure, as illegal, arbitrary and violative of the principles of natural justice. Consequently sought directions to the respondent No.2 to follow due procedure.
2. The learned counsel for the petitioner submits that the petitioner is the owner and possessor of house bearing No. D.NO.6-19-15& 6-19-16, Arundalpet, Guntur, Guntur District. The grievance of the petitioner is that the respondent No.2--authorities through his staff had given marking to the subject property and stated that property would be taken into possession for the purpose of road widening without issuing notification under the Act of 30 of 2013 or under Section 136, 147 of the Municipal Corporation Act, 1955, the respondents are high handedly interfering.
3. While hearing, both the counsels at the bar submit that the issue is covered by the order in W.P.No.1400 of 2025 dated 22.01.2025 wherein, the operative portion of the order is as under:

"5. In view of the same, instead of keeping the writ petition pending, the writ petition is disposed of directing the respondent No.2 not to interfere with the possession of the petitioner without following the procedure as contemplated under the Right to Fair Compensation and Transparency in

Land Acquisition and Rehabilitation and Resettlement Act, 2013.

With the above direction, the Writ Petition is disposed of. No costs."

4. Since the issue is similar and covered by the order of this Court, this Writ Petition is disposed of in terms of W.P.No.1400 of 2025, directing the respondents not to interfere with the possession of the petitioner property, without following due procedure as contemplated under the Right to Fair Compensation and Transparency in Land Acquisition and Rehabilitation and Resettlement Act, 2013.

5. With the above direction, the Writ Petition is disposed of. There shall be no order as to costs.

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

NYAPATHY VIJAY, J

Date: 04.03.2025
PKR