

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

THURSDAY, THE TWENTIETH DAY OF MARCH
TWO THOUSAND AND TWENTY FIVE

PRESENT

HON'BLE SRI JUSTICE NYAPATHY VIJAY

WRIT PETITION NO: 6857 OF 2025



Between:

Sridhar Reddy Gontu, S/o. G. Ramakoti Reddy, Aged about 51 years,
Occupation: Professor, D-No.6-19-108, 2nd lane, Arundalpet Main Road,
Guntur, Guntur District.

...PETITIONER

AND

1. The State of Andhra Pradesh, Rep by its Principal Secretary, Municipal Administration and Urban Development Department, Secretariat Buildings, Velagapudi. Amaravati, Guntur District.
2. The Guntur Municipal Corporation, Rep by its Commissioner, Guntur Municipal Corporation Office, Guntur, Guntur District.

...RESPONDENTS

Petition under Article 226 of the Constitution of India is filed 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 interfering with the Petitioners peaceful possession and enjoyment of the property situated at D.No 6-19-108, Srinivasa Building, Student Book Centre, 2nd lane, Arundalpet Main Road, Guntur, Guntur District (Shop No. 64 given by Municipality) and giving markings without having any right or authority highhandedly without paying any compensation and further insisting the petitioner to take TDR certificates and subjecting the Petitioner to distress

as nothing but illegal, erroneous, highhanded and violative of Article 14, 19(i)(g), 21 and 300A 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.No6-19-108, Srinivasa Building, Student Book Centre, 2nd lane, Arundalpet Main Road, Guntur, Guntur District (Shop No. 64 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 is filed praying that in the circumstances stated in the affidavit filed in support of the 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 property situated at D.No: 6-19-108, 2nd lane, Arundalpet Main Road, Guntur, Guntur District (Shop No. 64 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: SMT. ANUSHA DONTI REDDY

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

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

The Court made the following: ORDER

APHC010133592025



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

[0]

THURSDAY ,THE TWENTIETH DAY OF MARCH
TWO THOUSAND AND TWENTY FIVE

PRESENT

THE HONOURABLE SRI JUSTICE NYAPATHY VIJAY

WRIT PETITION NO: 6857/2025

Between:

Sridhar Reddy Gontu

...PETITIONER

AND

The State Of Andhra Pradesh and Others

...RESPONDENT(S)

Counsel for the Petitioner:

1.ANUSHA DONTI REDDY

Counsel for the Respondent(S):

1.GP MUNICIPAL ADMN AND URBAN DEV AP

The Court made the following:

THE HONOURABLE SRI JUSTICE NYAPATHY VIJAY

WRIT PETITION NO: 6857 OF 2025

ORDER:

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

".....to issue a Writ, 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 interfering with the Petitioners peaceful possession and enjoyment of the property situated at D.No. 6-19-108, Srinivasa Building, Student Book Centre, 2nd lane, Arundalpet Main Road, Guntur, Guntur District (Shop No.64 given by Municipality) and giving markings without having any right or authority highhandedly without paying any compensation and further insisting the petitioner to take TDR certificates 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.6-19-108, Srinivasa Building, Student Book Centre, 2nd lane Arundalpet Main Road, Guntur, Guntur District (Shop No.64 given by Municipality) without following the procedure contemplated under The Right to Fair Compensation and Transparency in Land Acquisition Rehabilitation and Resettlement Act- 2013 and pass such other orders...."

2. Heard Smt. Anusha Dontireddy, learned counsel for the petitioner and learned Government Pleader for Municipal Administration and Urban Development Authority for the respondents.
3. During hearing learned counsel for the petitioner would contend that this matter is squarely covered by this Court Order dated 28.01.2025 in

W.P.No.2023 of 2025 and requested to pass similar order in this writ petition also. Learned Standing Counsel for the respondents conceded the same.

4. Considering the submissions of learned counsel, this Writ Petition is disposed of in terms of the order dated 28.01.2025 passed in W.P.No.2023 of 2025. There shall be no order as to costs.

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

6. The Registry is directed to annex a copy of the order in W.P.No.2023 of 2025, dated 28.01.2025 along with this order.

//TRUE COPY//

Sd/- K.KASI RAO ACHARI
ASSISTANT REGISTRAR


SECTION OFFICER

To,

1. The Principal Secretary, Municipal Administration and Urban Development Department, Secretariat Buildings, Velagapudi. Amaravati, Guntur District.
2. The Commissioner, Guntur Municipal Corporation, Guntur Municipal Corporation Office, Guntur, Guntur District.
3. One CC to M/s. Anusha Donti Reddy Advocate [OPUC]
4. One CC to Sri A S C Bose, SC for Municipal Corporations, Advocate [OPUC]
5. Two CCs to GP for Municipal Admn and Urban Dev, High Court of Andhra Pradesh. [OUT]
6. Three CD Copies

(Along with a copy of order dt. 28.01.2025 in WP No. 2023 of 2025)

TF

HIGH COURT

DATED:20/03/2025

ORDER

WP.No.6857 of 2025



DISPOSING OF THE W.P., WITHOUT COSTS

APHC010039982025



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

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TUESDAY ,THE TWENTY EIGHTH DAY OF JANUARY
TWO THOUSAND AND TWENTY FIVE

PRESENT

THE HONOURABLE SMT JUSTICE V.SUJATHA

WRIT PETITION NO: 2023/2025

Between:

Bellamkonda Sarada

...PETITIONER

AND

The State Of Ap 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:

**ORDER :**

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

"....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 Petitioner's building situated at D.no.6-19-43/A, 10th lane, main road, Arundalpet, Guntur City, Guntur District (Shop No.35 given by Municipality) and giving markings without having any right or authority highhandedly 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 the Respondents much less the Respondent No.2 not to meddle direct with the Petitioners building situated at D.no.6-19-43/A, 10th lane, Arundalpet, Guntur City, Guntur District (Shop No.35 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 learned counsel for the petitioner, learned Government Pleader for Municipal Administration and Urban Development for respondent No.1 and learned Standing Counsel for respondent No.2.
3. The petitioner is the absolute owner and possessor of the house bearing Door No.6-19-43/A, 10th lane, Arundalpet, Guntur City, Guntur District (Shop No.35 given by Municipality), where the petitioner is residing and carrying on his own business. While the matter being so, the respondents are intending to give markings to their shop for road widening purpose without following due process of law and without paying fair compensation to her. However, the case of the petitioner is also that the respondents have orally informed that they will give TDR certificate instead of fair compensation.

4. Today, when the matter came up for hearing, Mr.A.S.C.Bose, learned Standing Counsel for respondent No.2, on instructions, informed this Court that they are intending to issue a notice under Section 146 of APMC Act, 1955, to the petitioner and follow the procedure as contemplated under Sections 146 and 147 of the Hyderabad Municipal Corporation Act, 1955 as well as the Right to Fair Compensation and Transparency in Land Acquisition and Rehabilitation and Resettlement Act, 2013.

5. In view of the same, instead of keeping the writ petition pending, the writ petition is disposed of directing the 2nd respondent 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.

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

Miscellaneous petitions pending, if any, in this Writ Petition shall stand closed.

Date: 28.01.2025
JLV

JUSTICE V.SUJATHA