



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

[3460]

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

PRESENT

THE HONOURABLE SRI JUSTICE NYAPATHY VIJAY

WRIT PETITION NO: 6858/2025

Between:

Thota Kasi Visweswara Rao and Others

...PETITIONER(S)

AND

The State Of Andhra Pradesh and Others

...RESPONDENT(S)

Counsel for the Petitioner(S):

1. SAI GANGADHAR CHAMARTY

Counsel for the Respondent(S):

1. K V ADITYA CHOWDARY

2. GP MUNICIPAL ADMN AND URBAN DEV AP

The Court made the following:

ORDER:

The present Writ Petition is filed questioning the proceedings dated 10.03.2025, issued by the 3rd Respondent in calling upon the Petitioners to remove the cattle shed raised by him.

2. The learned counsel for the Petitioners submits that the Petitioners are the absolute owners of the land admeasuring to an extent of 450 Sq. yards in R.S. No.43 of Ramalingeswara Nagar, for more than five (05) decades and the subject property was assessed for municipal tax. He further submitted that the 4th Respondent herein filed O.S.No.98 of 2021, on the file of the learned VII Additional District Judge, Vijayawada, for declaration of his title and also filed I.A. No.691 of 2022, for mandatory injunction and the same is pending.

3. While so, the Respondent Nos.2 and 3, at the instance of the complaint made by the Respondent No.4, are trying to demolish the cattle shed of the Petitioners by issuing an endorsement dated 13.10.2022. The Petitioner No.1 filed W.P. No.34706 of 2022 before this Court and the same was disposed of by an Order dated 20.02.2025. Pursuant to the orders passed by this Court, the Respondent No.3 issued notice to the Petitioners straight away without conducting any enquiry by calling upon the Petitioners to remove the structures in the scheduled premises as no building permission was obtained.

4. The learned Standing counsel for the Respondent-Corporation submits that the Petitioners may be called upon to submit their explanation by treating the impugned notice dated 10.03.2025 as show-cause notice and thereafter, the Respondent Nos.2 and 3 would conduct enquiry and pass appropriate orders after hearing the Petitioners.

5. In view of the submissions made, this Court is of the opinion that the Writ Petition can be disposed of by directing the Petitioners to submit explanation to the impugned notice dated 10.03.2025 by treating the same as show-cause notice after within a period of two (02) weeks. Thereafter, the Respondent Nos.2 and 3 shall pass appropriate orders after putting the Petitioners on notice. There shall be no orders as to costs.

As a sequel, Interlocutory Applications pending, if any, shall stand closed.

JUSTICE NYAPATHY VIJAY

Date: 18.03.2025.

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HON'BLE SRI JUSTICE NYAPATHY VIJAY

W.P.No.6858 of 2025

Date: 18.03.2025.

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