

[ 3328 ]

**IN THE HIGH COURT OF ANDHRA PRADESH AT AMARAVATI**

TUESDAY, THE THIRTY FIRST DAY OF MARCH

TWO THOUSAND AND TWENTY SIX

**:PRESENT:**

**THE HONOURABLE SRI JUSTICE GANNAMANENI RAMAKRISHNA PRASAD**

**WRIT PETITION NO: 7816 OF 2026**



**Between:**

1. P. Venkata Rao, S/o. Venkata Ratnam, aged about 64 years, R/o. Pindimara Road, Rajiv Nagar, Uda Colony, Ajith Singh Nagar, Vijayawada. (Shop No.1)
2. Ananta Lakshmi Pilli, W/o. Venkata Rao, aged about 57 years, R/o. Pindimara Road, Rajiv Nagar, Uda Colony, Ajith Singh Nagar, Vijayawada. (Shop No.2)
3. Katragadda Lavanya, D/o. K. Venkata Narayana, aged about 45 years, R/o. Saibaba Temple Street. Teachers Colony, Vijayawada Urban. (Shop No.3)
4. Varanasi Govinda Rao, S/o. Apparao, aged about 56 years, R/o. 4th Line, Kummaraveedhi, Kothapeta Vijayawada. (Shop No.4)
5. Yerranagu Brahma Reddy, S/o. Y.Musala Reddy, Aged about 60 years, R/o. Old Post Office Road, Beside BSK shop, Krishna Lanka, Vijayawada. (Shop No.5)
6. Bhavireddy Prabhu Kumar, S/o. B. Suri Babu, Aged about 40 years, R/o. J.P. Residency, Pagadalavari Street, Ramavarappadu, Vijayawada. (Shop No.6)
7. Puligujju Krishna Rao, S/o. Purnaiah, Aged about 75 years, R/o. Anjaneyavagu Street, Kothapeta, Vijayawada. (Shop No.7)
8. Puligujju Durgamba, W/o. Krishna Rao, Aged about 73 years, R/o. Anjaneyavagu Street, Kothapeta, Vijayawada. (Shop No.8)
9. Varanasi Ananth Manikanta, S/o. Govinda Rao, aged about 27 years, R/o. 4th Line, Kummari Veedhi, near KBN College, Kothapeta, Vijayawada. (Shop No.9)
10. Aluru Srinivasa Rao, S/o. Vishnu Vardhan, aged about 53 years, R/o. Sangam Road, Budameru Katta, Prasanth Colony, Gunadala, Vijayawada. (Shop No. 10)
11. Shaik Sabira, W/o. Shaik Babjani, Aged about 52 years, R/o. Nadar Veedhi, Pezzonipeta, Vijayawada. (Shop No.II)

12. Reddy Veera Venkata Suresh, S/o. Gurulingam, Aged about 52 years, R/o. Gulam Mohiddin Nagar, Chaitanya School Backside, Machavaram, VTC, Vijayawada. (Shop No. 12)
13. Darapu Durga Naga Reddy, s/o. Appala Reddy, aged about 36 years, R/o. Praja Sakthinagar, Payakapuram, VTC, Vijayawada. (Shop No. 13)
14. Potnuru Anand, S/o. Rama Rao, Aged about 37 years, R/o. Swamy Residency, Annapurna Devi Street, Gandhinagaram, Vijayawada. (Shop No. 14)
15. Shaik Dada Vali, S/o. Shaik, Meera Saheb, Aged about 50 years, R/o. Madhavasetty Seetaiah Street, Ranigarithota, Krishnalanka, Vijayawada. (Shop No.15)
16. Mahammad Abdulla Saheb, S/o. Hussain, Aged about 56 years, R/o. D.No. 9-251/2, Tadepalli, Guntur District. (Shop No. 16)
17. Patan Shainaz, D/o. Patan Dil Nawaz Khan, aged about 36 years, R/o. David Street, Rajiv Gandhi Statue, Poornanadhampeta, Vijayawada. (Shop No. 17)
18. Vunna Jayalakshmi, W/o. Vasudeva Rao, Aged about 58 years, R/o. Kummariveedhi, Kothapeta, Vijayawada. (Shop No. 18)
19. Pathan Shamimuhn, W/o. Pathan Gul Navaz, Aged about 51 years, r/o. Vangara Sundararao Street, Pezzonipeta, Vijayawada. (Shop No. 19)
20. Thunuguntia Venkata Srinivasarao, S/o. Lima Maheswararao, Aged about 26 years, R/o. FF-1, Mahava Mandhir Road, Aditi Enclave, Bhavanipuram, Vijayawada. (Shop No.20)
21. Thunuguntia Uma Maheswararao, S/o. Upendra Rao, Aged about 49 years, R/o. FF-1, Mahava Mandhir Road, Aditi Enclave, Bhavanipuram, Vijayawada. (Shop No.21)
22. B.Rajasekhara Rao, S/o. Govindarao, Aged about 38 years, R/o.N.Lakshmanarao Street, Krishnalanka, Vijayawada. (Shop No.22)
23. Potnuru Savithri, W/o. Venkata Ramana, aged about 59 years, R/o. Banka Kamaraju Street, Kothapeta, Vijayawada. (Shop No.23)
24. Shaik Nymatunisa, W/o.shaik Ilahi, Aged about 52 years, R/o. 3rd Line, Thotavari Street, Nandamurinagar, Vijayawada. (Shop No.24)
25. Shaik Mabhu Subhan Bi, W/o. Shaik Khaja Vali, Aged about 62 years, R/o. 2nd Line, Railway society colony, Madhuranagar, Vijayawada. (Shop No.25)
26. Viswanadhapalli Veerababu, S/o.late Koteswararao, Aged about 55 years, R/o. Chalasani Nagar, Ranigari Thota, Krishnalanka, Vijayawada. (Shop No.26)

27. Surath Vijaya, W/o. Venkatarao, Aged about 60 years, R/o. Yerrakatta Road, Prajasakthi Nagar, Vijayawada. (Shop No.27)
28. Surath Somaiah, S/o. Subba Rao, Aged about 66 years, R/o. Payakapuram, Prajasakthi Nagar, Ajitnagar, Vijayawada. (Shop No.28)
29. Korada Srinivasarao, S/o. Suryanarayana, aged about 42 years, R/o. Khadar Street, Mahanthipuram, Vijayawada. (Shop No.29)
30. Podugu Satyanarayana, S/o. Venkata Ramana, aged about 45 years, R/o. Old Rajivnagar, behind Government School, Ajitnagar, Vijayawada. (Shop No.30)
31. Shaik Meeravali, S/o. Shaik Subhani, Aged about 59 years, R/o. David Street, Near RCM School, Poornanadhampeta, Vijayawada. (Shop No.31)
32. Shaik Nagoor, S/o. Allabakshi, Aged about 36 years, R/o. Manchalavariveedhi, RCM School, Pezzonipeta, Vijayawada. (Shop No.32)
33. Bhavireddy Vijayalakshmi, W/o. Suri Babu, Aged about 55 years, R/o. Nirmala Apartment, Line, Currency Nagar, Vijayawada. (Shop No.33)
34. Potnuru Ashok, S/o. Apparao, Aged about 36 years, R/o. 27/9, Nandamurinagar, Singhnagar, Vijayawada. (Shop No.34)
35. Shaik Jilani, S/o. Abdul Ajeer, Aged about 65 years, R/o. Ganganammagudi Road, Ajithsingh Nagar, Vijayawada. (Shop No.35)
36. Shaik Mahammad Vali, S/o. Shaik Vali Saheb, Aged about 37 years, R/o. 7th Line, Kedareswarapeta, Gandhinagaram, Vijayawada. (Shop No.36)
37. Doki Priya Darshini, D/o. Doki Rajababu, aged about 39 years, R/o. Shadhikhana Road, Ajithsingh Nagar, Vijayawada. (Shop No.38)
38. Loya Lima Maheswararao, S/o. Late Venkateswararao, Aged about 59 years, R/o. Parasuramaiah Street, Raavichettu Centre, KBN College, Vijayawada. (Shop No.39)
39. Chowdari Pragathi, W/o. R. Hari Krishna, aged about 33 years, R/o. Suryakantham Layout, Ward No.72, Pendurthi, Vepagunta, Vijayawada. (Shop No.40)
40. Narra Padma, W/o. Vamsidhar, aged about 44 years, R/o. Kabela Centre, BR Ambedkar road, Vidyadharapuram, Vijayawada. (Shop No.41)
41. Naramsetty Chiranjeevi, S/o. Kantharao, Aged about 45 years, R/o. Valluruvari street. Near Mani Hotel, Krishna Lanka, Vijayawada. (Shop No.42)
42. Surathu Nageswararao, S/o. Subbarao, Aged about 69 years, R/o. Chinnaappalaswamy Street, Vidyadharapuram, Vijayawada. (Shop No.43)

43. Padamata Narayanarao, S/o. Reddaiah, Aged about 68 years, R/o. Kolavennuvari Street, Saibaba Colony, 2nd Line, Madhuranagar, Vijayawada. (Shop No.47)
44. Matta Sankar Reddy, S/o. Seshi Reddy, Aged about 39 years, R/o. Srikrishna Towers, Gadde Venkataramaiah Nagar, 3rd Line, Vijayawada. (Shop No.48)
45. Sunkara Chennakesava, S/o. Srinivasarao, aged about 35 years, R/o. Lankavari Veedhi, Gandhinagar, 3rd Road, Vijayawada. (Shop No.49)
46. Tunuguntla Katyayani, W/o. Lima Maheswararao, Aged about 45 years, R/o. Aditi Enclave, Manava Mandir Road, Bhavanipuram, Vijayawada. (Shop No.50)
47. Rayi Suresh, S/o. Sitaramaiah, Aged about 39 years, R/o. Dharanikota, Amaravathi Mandal, Palnadu District. (Shop No.51)
48. Vaddiboyina Suresh, S/o. V. Chantibabu, Aged about 39 years, R/o. Ravis Kalavakatta, Enikepadu, Vijaywada. (Shop No.52)
49. Sunkara Subbalakshmi, W/o. Srinivasarao, Aged about 52 years, R/o. Lankavariveedhi, 3rd cross road, Bavajipeta, Vijayawada. (Shop No.53)
50. Thota Sivasankara Rao, S/o. Rangarao, aged about 62 years, R/o. Viswabharathi School, gandhibomma Centre, Vijaywada. (Shop No.54)
51. Lakshman Sadhuram, S/o. Hundraj Sadhuram, Aged about 46 years, R/o. 2nd Floor, KP Towers, Kolaparivari Street, Seetharampuram, Vijayawada. (Shop No.55)
52. Pothireddy Ravikumar Reddy, S/o. Venkata Swami Reddy, Aged about 35 years, R/o. 4-19, Shaik Chinna Pacha Road, Krishnalanka, Vijaywada. (Shop No.56)
53. Gujjula Ramasubbareddy, S/o. Thirumala Reddy, Aged about 51 years, R/o. Ganganamma Gudi Veedhi, Krishnalanka, Vijayawada. (Shop No.57)
54. Badidaboyina Lakshmi, W/o. Sivaiah, Aged about 46 years, R/o. New R.R. Peta, Ajithsingh Nagar, Vijayawada. (Shop No.58)
55. The Vijayawada Urban Fancy Readymade and Old Cloth Merchants Association (Reg.No.70/93), Rep. by its President Sri Loya Uma Maheswararao, S/o. Late Venkateswararao, Aged about 59 years, Lenin Centre, Governorpet, Vijayawada.(shop Nos.37, 44, 45 and 46)

**Petitioners**

**AND**

1. The State of A.P., Rep. By its Principal Secretary, Municipal Administration and Urban Development, Secretariat, Velagapudi, Amaravathi -522238.
2. The District Collector, NTR District, Vijayawada - 520001.
3. The Vijayawada Municipal Corporation, Rep. by its Commissioner, Nehru Building, Canal Road, Vijayawada - 520001.
4. The Assistant City Planner-II, Circle -II, Town Planning Section, Adi Seshaiyah Street, Satyanarayana Puram Vijayawada -520011.
5. The Executive Engineer, Krishna Central Division, Irrigation Department, Vijayawada, Krishna District - 520001.

### **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 any writ or order or direction more particularly one in the nature of Writ of Mandamus declaring the action of the respondents in issuing the Notice vide in R.C.G-2-102530/2026, dt 19-02-2026, without constituting the Town Vending Committee, conducting survey, issuing Vending Certificates, notifying the Vending and Non-Vending Zones, Natural Markets and Heritage Markets in terms of the Street Vendors Act as mandated by the Street Vendors Act and without implementing the provisions of the Street Vendors Act, but contemplating to evict the petitioners by invoking the provisions of the Street Vendors Act as illegal, arbitrary and violative of Art. 14,19 (1)(g) and 21 and 300-A of Constitution of INDIA, Principles of Natural Justice and consequently direct the respondents not to interfere with the possession of the petitioners and to declare the Vending area of the petitioners i.e. Adjacent to Lenin Statute as Heritage Market in terms of Rule 8(ix) of The AP Street Vendors Rules, 2017 in the interest of justice

### **IA NO: 1 OF 2026**

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 respondents not to evict or relocate the petitioners until and unless the Survey is completed and vending certificates are issued in terms of the Street Vendors (Protection of Livelihood and Regulation of Street Vending) Act, 2014 by suspend the notice issued by the 4<sup>th</sup> respondent vide R.C.G-2-102530/2026, dt: 19-02-2026 pending the Writ Petition, Pending disposal of WP 7816 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 SRI DHARANI KUMAR B Advocate for the Petitioner(s), GP MUNICIPAL ADMN AND URBAN DEV AP Advocate for the Respondent Nos.1 & 2, Sri SVSS SIVARAM, Standing Counsel for Town Planning for Respondent Nos.3 &4, GP for Irrigation Department Respondent No.5 and the Court made the following.

**ORDER**

**“Heard Sri Dharani Kumar, learned Counsel for the Writ Petitioners, Sri S.V.S.S. Siva Ram, learned Standing Counsel for VMC and Sri A. Narasinga Rao, learned Assistant Government Pleader for Irrigation & CAD.**

**2. The reliance placed by the Writ Petitioners in respect of various Orders of this Court would not come to their help, inasmuch as the law has changed and the canal bunds and river bunds cannot be allowed to be encroached by the public and the duty rests on the Authorities to prevent any encroachment or occupation of tank bunds, river bunds and canal bunds which includes river beds and tank beds.**

**3. Since the Writ Petitioners herein have been in occupation of the canal bund of Ryves Canal for a long time, this Court is of the prima facie view that the Petitioners will have to be evicted from the tank bund in public interest by providing them suitable places by the Municipal Corporation to run their businesses, subject to the conditions that would be laid down by the Municipal Corporation.**

**4. List on 02.04.2026, immediately after the motion list, to enable Sri S.V.S.S. Siva Ram, learned Standing Counsel for VMC, to obtain Written Instructions with regard to comprehensive policy to show the Petitioners alternate site.**

**//TRUE COPY//**

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

To,

1. The Principal Secretary, The State of Andhra Pradesh, Municipal Administration and Urban Development, Secretariat, Velagapudi, Amaravathi -522238.
2. The District Collector, NTR District, Vijayawada - 520001.
3. The Commissioner, The Vijayawada Municipal Corporation Nehru Building, Canal Road, Vijayawada - 520001.
4. The Assistant City Planner-II, Circle -II, Town Planning Section, Adi Sessaiah Street, Satyanarayana Puram Vijayawada -520011.
5. The Executive Engineer, Krishna Central Division, Irrigation Department, Vijayawada, Krishna District - 520001. (by RPAD 1 to 5)
6. One CC to SRI. DHARANI KUMAR B Advocate [OPUC]
7. Two CCs to GP MUNICIPAL ADMN AND URBAN DEV AP ,High Court Of Andhra Pradesh. [OUT]
8. One CC to Sri SVSS SIVARAM, Standing Counsel for Town Planning, High Court Of Andhra Pradesh. [OUT]
9. Two CCs to GP FOR Irrigation, High Court Of Andhra Pradesh at Amaravati. [OUT]
10. **One spare copy**

HIGH COURT

GRKP,J

DATED:31/03/2026

LIST ON 02.04.2026

ORDER

WP.No.7816 of 2026

DIRECTION

