

[3332]

**(SHOW CAUSE NOTICE BEFORE ADMISSION)
IN THE HIGH COURT OF ANDHRA PRADESH AT AMARAVATHI
(SPECIAL ORIGINAL JURISDICTION)**

TUESDAY, THE TWENTY SIXTH DAY OF MARCH
TWO THOUSAND AND TWENTY FOUR

:PRESENT:

**THE HONOURABLE SRI JUSTICE RAVI CHEEMALAPATI
WRIT PETITION NO: 7541 OF 2024**



Between:

Smt. Katari Venkateswaramma, W/o Srinivas, D.No.22-33, Sri Srinivas Enclave, F1 4TH Floor, Bhagath Singh Nagar, 3rd Lane Yenamalakudur

...Petitioner

AND

1. The State Of Andhra Pradesh, Rep. by its Principal Secretary, Municipal Administration and Urban Development Department, A.P. Secretariat, Velagapudi at Amaravathi, Guntur District.
2. YSR Tadigadapa Municipality, Rep by The Commissioner, Tadigadapa, Krishna District.
3. The Town Planning Supervisor, YSR Tadigadapa Municipal Corporation, Tadigadapa, Krishna District.

..Respondents

WHEREAS the Petitioner above named through her Advocate Y.V.V.V. RAO presented this 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 please to issue appropriate Writ, direction or order more particularly one in the nature of mandamus declaring the action of the 2nd Respondent and 3rd Respondents in issuing the Provisional Order 01.02.2024 Notice No. UC/2/2024 Notice Under Section 228(1and2) R/W Section 209,212 of APM Act 1965 and UNDERSECTION 115(1) and 116(1) Read With Sections 108,109 and 110 of AP CAPITAL REGION DEVELOPMENT AUTHORITY Act 2014 in rejecting the reply and threatened to demolish the petitioners Pent house with in the 3 days by issuing the Confirmation Order U/s 228(3) of APM Act 1965 and U/s 115 (3) of APCRDA Act 2014. Dated /02/2024, failing to remove the deviations immediately without following the due process of law is arbitrary, illegal, capricious, unjust and violate of the Articles 14, 19 21 and 300A Constitution of India and in breach of principles of natural Justice and consequently direct the Respondents not to Demolish the Petitioners Pent house with an Extent of 40 Sqydrds premises bearing R.S. No.170/1 with Door No.6-3-82 at Tadigadapa Village Krishna District.

AND WHEREAS the High Court upon perusing the petition and affidavit filed herein and upon hearing the arguments of Sri Y.V.V.V. RAO Advocate for the Petitioner, GP FOR MUNICIPAL ADMINISTRATION for respondent no.1, Sri M.Manohar Reddy Standing Counsel for respondent nos.2 & 3, directed issue of notice to the Respondents herein to show cause as to why this WRIT PETITION should not be admitted.

You viz:

1. The Principal Secretary, Municipal Administration and Urban Development Department, State Of Andhra Pradesh, Secretariat, Velagapudi at Amaravathi, Guntur District.
2. The Commissioner, YSR Tadigadapa Municipality, Tadigadapa, Krishna District.
3. The Town Planning Supervisor, YSR Tadigadapa Municipal Corporation, Tadigadapa, Krishna District.

are be and hereby directed to show cause either appearing in person or through an advocate on or before 11.04.2024 to which date the case stands posted as to why in the circumstances set out in the petition and the affidavit filed therewith (copy enclosed) this WRIT PETITION should not be admitted.

IA NO: 1 OF 2024

Petition under Section 151 of 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 demolish the Pent house in a 40 sqydr Extn premises bearing R.S. No.170/1 with Door No.6-3-82 at Tadigadapa Village Krishna District in pursuance of the above said proceedings in the interest of justice, pending disposal of WP No. 7541 of 2024, on the file of the High Court.

The Court made the following: ORDER

"Notice before admission.

Learned Government Pleader for Municipal Administration takes notice for Respondent No.1.

Sri M.Manohar Reddy, learned Standing Counsel takes notice for Respondent Nos.2 & 3.

For instructions, post on 11.04.2024, in the 'Motion List'.

The respondent authorities are directed not to take any coercive steps with regard to the subject property and at the same time the petitioner is also directed not make any further constructions."

//TRUE COPY//

**Sd/- B. CHITTI JOSEPH
ASSISTANT REGISTRAR**

SECTION OFFICER

1 To,

1. The Principal Secretary, Municipal Administration and Urban Development Department, State Of Andhra Pradesh, Secretariat, Velagapudi at Amaravathi, Guntur District.
2. The Commissioner, YSR Tadigadapa Municipality, Tadigadapa, Krishna District.
3. The Town Planning Supervisor, YSR Tadigadapa Municipal Corporation, Tadigadapa, Krishna District. (1 to 3 by RPAD- along with a copy of petition and memorandum of grounds)
4. One CC to SRI. Y.V.V.V. RAO Advocate [OPUC]
5. One CC to Sri M.Manohar Reddy Standing Counsel [OPUC]
6. Two CCs to GP MUNICIPAL ADMN AND URBAN DEV AP, High Court Of Andhra Pradesh. [OUT]
7. **One spare copy**

ksr

HIGH COURT

RC, J

DATED:26/03/2024

post on 11.04.2024, in the 'Motion List'.

NOTICE BEFORE ADMISSION

WP.No.7541 of 2024

DIRECTION

