

IN THE HIGH COURT OF ANDHRA PRADESH AT AMARAVATI

THURSDAY, THE FOURTH DAY OF APRIL,

TWO THOUSAND AND TWENTY SIX

: PRESENT:

THE HONOURABLE SRI JUSTICE GANNAMANENI RAMAKRISHNA PRASAD

WRIT PETITION NO: 8563 OF 2026

Between:

M/s. Royal Ads Agency, Rep. by its Proprietor Md. Chan Basha S/o. Rahamthulla, Aged about 48 years, Occ. Business, R/o.D.No.37-2-53, 1st line, Islam Peta, Ongole, Prakasam District, A.P.

...Petitioner

AND

1. The State of Andhra Pradesh, Rep. Principal Secretary, Municipal Administration and Urban Development, A.P. Secretariat at Velagapudi, Amaravati.
2. The District Collector and District Magistrate -Cum- Special Officer, Ongole Municipal Corporation, Ongole, Prakasam District, A.P. 523001
3. The Ongole Municipal Corporation, Rep. by its Commissioner, Ongole, Prakasam District, A.P.-523001
4. Sri K. Venkateswara Rao, Occ. Commissioner, Ongole Municipal Corporation, Ongole, Prakasam District, A.P.-523001

...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 order or direction more particularly one in the nature of Writ of Mandamus, declaring the action of the respondents particularly the respondent nos.3 and 4 high handedly removing the removing the four cantilever non-illuminated display devices located at Addanki Bus Stand Center (2 nos.), Swathi Shopping Mall (1 no.), and opposite Joyalukkas on Kurnool Road, Ongole City which were established in the year 2018 with a valid permission of the 3rd respondent, now partly removed under the guise of

the notices (i) Roc-No.5152/2025/GI, dated 20.03.2026 which was received on 23.03.2026, (ii) Roc-No.5152/2025/GI, dated 26.03.2026 which was dispatched on 28.03.2026 through courier service without considering the reply noticed dated 24.03.2026 sent through the petitioners counsel, and in violation of the orders passed by this Hon'ble Court in W.P.No.17519 of 2025 is being illegal, arbitrary, against the principles of natural justice and in violation of Articles 14, 21 and 300-A of the constitution of India and consequently direct the respondent nos.3 and 4 to restore the four cantilever non-illuminated display devices located at Addanki Bus Stand Center (2 nos.), Swathi Shopping Mall (1 no.), and opposite Joyalukkas on Kurnool Road, Ongole City at their own cost and permit the petitioner to maintain the four cantilever non illuminated display devices on its usual terms and conditions

IA NO: 1 OF 2026:

Petition under Section 151 CPC praying that in the circumstances stated in the affidavit filed in support of the petition, the High Court may be pleased to stay of all further proceedings in pursuance of the impugned (i) Roc-No:5152/2025/GI, dated 20.03.2026 which was received on 23.03.2026, (ii) Roc-No:5152/2025/GI, dated 26.03.2026 which was dispatched on 28.03.2026 through courier service

IA NO: 2 OF 2026:

Petition under Section 151 CPC 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 nos.3 and 4 to restore the four cantilever non-illuminated display devices located at Addanki Bus Stand Center (2 nos.), Swathi Shopping Mall (1 no.), and opposite Joyalukkas on Kurnool Road, Ongole City at their own cost and permit the petitioner to maintain the four cantilever non illuminated display devices on its usual terms and conditions

The petition coming on for hearing, upon perusing the Petition and the affidavit filed in support thereof and the earlier orders of the High court dated 01.04.2026 made herein and upon hearing the arguments of Sri SURYAM GANNAVARAPU Advocate for the Petitioner(s), GP MUNICIPAL ADMN AND

URBAN DEV AP for the Respondent No.1, A.S.C. Bose for respondent Nos. 2 & 3, and the Court made the following;

ORDER

Heard Sri S.M. Subhani, learned Counsel appearing for the Writ Petitioner and Sri S. Vijay Kumar, learned Counsel representing Sri A.S.C. Bose, learned Standing Counsel for Municipal Corporation.

2. The Plea raised by the learned Counsel appearing for the Official Respondents is that the Petitioner is bound by the terms of the Grant of Lease, under which the Petitioner is obligated to remove the Billboards if there is any road widening.

3. The Impugned Notice indicates that the Petitioner was asked to remove the Billboards to facilitate the road widening process, while it is also stated that the other advertisers are allowed to continue because they have renewed their Leases.

4. This Court fails to countenance how the Official Respondents can allow the other Billboards to remain if the road widening is to take place. On the face of it, it appears that the stand taken by the Official Respondents is inconsistent.

5. It is settled law that litigants cannot be allowed to approbate and reprobate by blowing hot and cold at the same time. In this view of the matter, the Order of Status-quo ante shall be restored and shall continue until further orders.

6. *Prima facie*, it appears to this Court that the Respondents are acting mala fide.

7. The Commissioner of Ongole Municipal Corporation is directed to file Counter-Affidavit to show cause as to why Proceedings should not be initiated for acting mala fide in the case of the Petitioner.

8. Let Counter Affidavit be filed within four weeks. Two weeks thereafter for filing Rejoinder.

9. Needless to state that the Writ Petitioner is duty-bound to pay the Lease rentals upon demand raised by the Official Respondents. If

there is any default in that regard, the Interim Order granted in favour of the Writ Petitioner shall stand automatically vacated.

10. List on 24.06.2026.

SD/- K SRINIVASA RAJU
ASSISTANT REGISTRAR

//TRUE COPY//

SECTION OFFICER

To,

1. The Principal Secretary, State of A.P., Municipal Administration and Urban Development, A.P. Secretariat at Velagapudi, Amaravati.
2. The District Collector and District Magistrate -Cum- Special Officer, Ongole Municipal Corporation, Ongole, Prakasam District, A.P. 523001
3. The Commissioner, Ongole Municipal Corporation, Ongole, Prakasam District, A.P.-523001
4. Sri K. Venkateswara Rao, Occ. Commissioner, Ongole Municipal Corporation, Ongole, Prakasam District, A.P.-523001 (1-4 by RPAD)
5. One CC to Sri. Suryam Gannavarapu Advocate [OPUC]
6. One CC to Sri. S.Vijay Kumar Advocate [OPUC]
7. Two CCs to GP Muncipal Admn & Urban Dev, High Court of AP [OUT]
8. One spare copy

Note:

The order dated 09.04.2026 is amended by substituting the following paragraph in the place of paragraph 5 of the earlier order vide IA No.3/26 dated 04.05.2026.

"It is settled law that litigants cannot be allowed to approbate and reprobate by blowing hot and cold at the same time. In this view of the matter, the Order of Status-quo ante shall be restored and shall continue until further orders."

Substitute this amended order in the place of earlier order which was dispatched on 29.04.2026

SD/- K SRINIVASA RAJU
ASSISTANT REGISTRAR

HIGH COURT

GRKP, J

DATED: 09/04/2026
(04.05.2026)

LIST ON 24.06.2026

ORDER
(AMENDED)

WP.No.8563 of 2026

DIRECTION

