

IN THE HIGH COURT OF ANDHRA PRADESH AT AMARAVATI
(SPECIAL ORIGINAL JURISDICTION)

FRIDAY, THE TENTH DAY OF APRIL

TWO THOUSAND AND TWENTY SIX

:PRESENT:

THE HONOURABLE SRI JUSTICE GANNAMANENI RAMAKRISHNA
PRASAD

WRIT PETITION NO: 9830 OF 2026



Between:

1. Battula Suresh Babu, S/o Battula Pitchaiah Aged about 62 Years, Occ. Business, R/o Flat No. 301, 1/1 Lane, Melody Homes, Vidya Nagar, Chandramoulinagar, Guntur, Guntur District, Andhra Pradesh - 522007.
2. Yadlapalli Srinivasarao, S/o Kotaiah, Aged about 61 Years, Occ. Business, R/o Flat No. 504, Adarsha Residency, 6th Line, Vijayapuri Colony, Guntur, Guntur District, Andhra Pradesh - 522006.
3. Lavu Ramakrishna, S/o Subbarao, Aged about 33 Years, Occ. Business, R/o Door No. 4-66A, Chinthapallipadu, Vatticherukuru, Garapadu, Guntur, Guntur District, Andhra Pradesh-522017.
4. Panchumarthi Sudheer, S/o Ravindra Babu, Aged about 41 Years, Occ. Business, R/o D.No. 2-1-54, Stambalagaruvu, Guntur, Guntur District, Andhra Pradesh - 522006.
5. Medarametla Rajasekhar, S/o Srinivas Babu, Aged about 38 Years, Occ. Business, R/o D.No. 3-28-24/16B, Brundavan Gardens, Beside SBI Bank, Guntur, Guntur District, Andhra Pradesh - 522006.
6. Saripudi Anil Kumar, S/o Seeta Ramaiah, Aged about 50 Years, Occ. Business, R/o Flat No. 1804, B-Block, Palm Springs Apartments, Srinivasaraopet, Guntur, Andhra Pradesh - 522004.
7. Battula Srilakshmi, S/o Suresh Babu, Aged about 53 Years, Occ. Housewife, R/o Flat No. 301, 1/1 Lane, Melody Homes, Vidya Nagar, Chandramoulinagar, Guntur, Guntur District, Andhra Pradesh - 522007.

...Petitioners

AND

1. The State of Andhra Pradesh, rep. By its Principal Secretary, Municipal Administration, Andhra Pradesh Secretariat, Velagapudi, Guntur District, Andhra Pradesh.522238
2. Guntur Municipal Corporation, Rep. by its Commissioner, Main Road, Guntur, Andhra Pradesh-522001.
3. Town Planning Officer, O/o Guntur Municipal Corporation, Main Road, Guntur, Andhra Pradesh-522001.
4. Veeravalli Purnachandra Rao, S/o Basavaiah, R/o Flat No. 502, Sai Hanuma Grand Apartment, 3rd Lane Pattabhipuram, Guntur, Andhra Pradesh-522006.
5. Adusumilli Aruna Kumari, W/o Purnachandra Rao, R/o Flat No. 502, Sai Hanuma Grand Apartment, 3rd Lane Pattabhipuram, Guntur, Andhra Pradesh-522006.

...Respondents

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 to issue a writ, order or direction more particularly one in the nature of Writ of Mandamus declaring the action of the respondents in not considering the petitioners representation dated 09.03.2026, 16.03.2026, 04.04.2026, 06.04.2026 and 07.04.2026 to the Respondent No.2 with regards to the illegal and unauthorised construction that is carried on by Respondent No.4 and 5 at D.No. 107, Seethayya Donka, Near Door No. 11-554, Vidyanagar 1st Lane Extension, Guntur, falling in Ward No.57 is being carried out in gross violation of Building Permit Order No. 1021/0463/B/GNTC/VID/2024, which permits only construction of an Individual Residential Building on the eastern side of his property without following the rules envisaged under municipal laws as illegal, irregular, arbitrary and utter violative of provisions of relevant municipal laws by which construction of buildings in Municipalities in the state of Andhra Pradesh is governed and offends Art, 14 and 21 of Constitution of India and Consequently direct the

respondents 2 to 3 to remove the illegal and unauthorised construction that is carried on by Respondent No.4 and 5 at D.No. 107, Seethayya Donka, Near Door No. 11-554 Vidyanagar 1st Lane Extension, Guntur, falling in Ward No.57 is being carried out in gross violation of Building Permit Order No. 1021/0463/B/GNTC/VID/2024, which permits only construction of an Individual Residential Building

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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 No.2 to 3 to stay illegal and unauthorised construction that is carried on by Respondent No.4 & 5 at D.No. 107, Seethayya Donka, Near Door No. 11-554, Vidyanagar 1st Lane Extension, Guntur, falling in Ward No.57 is being carried out in gross violation of Building Permit Order No. 1021/0463/B/GNTC/VID/2024, which permits only construction of an Individual Residential Building pending disposal of the main writ petition and pass, Pending disposal of WP 9830 of 2026, on the file of the High Court.

The petition/Appeal coming on for hearing, upon perusing the Petition and the affidavit filed in support thereof and upon hearing the arguments of JAGAN MOHAN RAO MANNAVA Advocate for the Petitioner, GP MUNICIPAL ADMINISTRATION AND URBAN DEVELOPMENT Advocate for the Respondent no 1, SRI. S.VIJAY KUMAR learned counsel representing for SRI.A.S.C.BOSE Standing Counsel for Respondents no 2 and 3, and the Court made the following.

ORDER:

Heard Sri Jagan Mohan Rao Mannava, learned Counsel for the Writ Petitioners and Sri S. Vijaya Kumar, learned Counsel, representing Sri A.S.C. Bose, learned Standing Counsel for the Municipal Corporation.

2. Learned Counsel for the Petitioners submits that the Unofficial Respondent Nos.4 and 5 have obtained building permission for residential purposes on 25.05.2024 (Ex. P1).

3. Learned Counsel for the Petitioners has drawn the attention of this Court to Ex.P.2, which contains the Building Plans for each Floor, indicating that the First Floor and Second Floor are also meant for residential purposes, with provisions for a kitchen, bedroom, living area, etc. He further draws the attention of this Court to the Photograph at Page 50, showing the Ground Floor and the First Floor, which appears to be open halls.

4. Learned Counsel for the Petitioners submits that the Unofficial Respondent Nos.4 & 5, after having obtained permission for a Residential Building, have now deviated from the Approved Plan

5. In this view of the matter, there shall be a direction to all the Parties, including Unofficial Respondent Nos.4 and 5, to maintain *Status-quo* obtaining as on today, until the next listing.

6. There shall also be a direction to Respondent No.3, namely the Town Planning Officer, to visit the Site along with the Approved Building Plan, compare the same, and submit a Report to this Court as to whether the Unofficial Respondent Nos.4 and 5 have deviated from the Sanctioned Plan or not.

7. Let the Report be submitted within one (01) week from today.

8. Sri S. Vijay Kumar, learned Counsel representing Sri A.S.C. Bose, learned Standing Counsel for Municipal Corporation is directed to convey the gist of this Order to the Town Planning Officer (Respondent No.3) forthwith for effective compliance.

9. Learned Counsel for the Writ Petitioners is directed to take out urgent Personal Notice in respect of the Respondent Nos.4 & 5 within three days from today and file proof of receipt of Notice within three days thereafter.

10. List on 29.04.2026.

//TRUE COPY//

SD/- K. KASIRAO ACHARI
ASSISTANT REGISTRAR

NB
SECTION OFFICER

To,

1. Town Planning Officer, O/o Guntur Municipal Corporation, Main Road, Guntur, Andhra Pradesh-522001. (by SPECIAL MESSENGER)
2. Veeravalli Purnachandra Rao, S/o Basavaiah, R/o Flat No. 502, Sai Hanuma Grand Apartment, 3rd Lane Pattabhipuram, Guntur, Andhra Pradesh-522006. (by SPECIAL MESSENGER)
3. Adusumilli Aruna Kumari, W/o Purnachandra Rao, R/o Flat No. 502, Sai Hanuma Grand Apartment, 3rd Lane Pattabhipuram, Guntur, Andhra Pradesh-522006. (by SPECIAL MESSENGER)
4. One CC to SRI. JAGAN MOHAN RAO MANNAVA Advocate [OPUC]
5. One CC to SRI. A.S.C. BOSE Advocate [OPUC]
6. Two CCs to GP MUNICIPAL ADMINISTRATION AND URBAN DEVELOPMENT ,High Court Of Andhra Pradesh. [OUT]
7. One spare copy

HIGH COURT

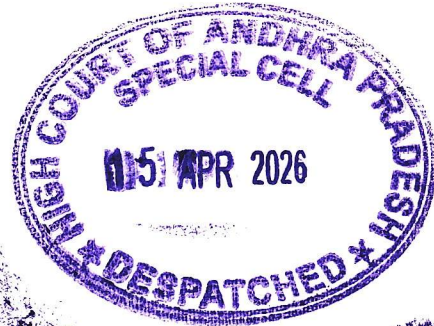
GRKP,J

DATED:10.04.2026

LIST THE MATTER ON 29.04.2026

ORDER

WP.No.9830 of 2026



DIRECTION