

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



**MONDAY, THE TWENTIETH DAY OF APRIL,
TWO THOUSAND AND TWENTY SIX**

**:PRESENT:
THE HONOURABLE SRI JUSTICE GANNAMANENI RAMAKRISHNA PRASAD**

WRIT PETITION NO: 10325 OF 2026

Between:

1. Smt. Yarlagadda Tulasamma, W/o Late Somayya Chowdary, aged 82 years, D.No.12-8-4/1, Opposite Town hall, Kakinada.
2. Yarlagadda Ammanna Chowdary, S/o Late Somyya Chowdary, aged 56 years, D.No.12-8-4/1, Opposite Town hall, Kakinada

Petitioners

AND

1. The State of Andhra Pradesh, Represented by its Principal Secretary - Municipal Administration Department, Secretariat, Velagapudi, Guntur District – 522238
2. The Kakinada Municipal Corporation, Rep. by its Commissioner, Kakinada, Kakinada District - 533001
3. Deputy City planner, Kakinada Municipal Commissioner, Kakinada, Kakinada District - 533001
4. The Building Inspector, For D.No. 12-8-4/1 area, Kakinada Municipal Corporation, Kakinada, Kakinada District - 533001
5. The Executive Officer, Sri Seetharama Swamy Temple, Opp: Town Hall, Main Road, Kakinada, Kakinada District – 533001.
6. The District Collector, Kakinada District.
(R6 Suo moto impleaded as per Court Order Dt. 20.04.2026)

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 Respondent Nos.1 and 2 in not considering my representations dated 8.4.2026, 9.4.2026 by initiating necessary action against the illegal and unauthorized construction carried out by the Respondent No.5 in D.No. 12-8-5 & 6, at Sree Seetharama Swamy Temple opposite to the Town Hall, Suryaraopeta Kakinada, Kakinada District contrary to the building permission rules as illegal, arbitrary and contrary to the provisions of Municipal Corporations Act, 1955, and 300-A of the Constitution of India and consequently direct the Respondents No.1 to 4 to demolish/remove the structures/building activity carried out by the Respondent No.5 in D.No.12-8-5, at Sree Seetharama Swamy Temple opposite to the Town Hall, Suryaraopeta, Kakinada, Kakinada District by considering the legal notice dated 5-4-2026, representations dated 8.4.2026 and 9.4.2026 and further direct the Respondents 1 to 4 to initiate action pursuant to the legal notice dated 5-4-2026, my Representations dated 8.4.2026 and 9.4.2026 to set right the same;

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 grant interim direction directing the Respondents 1 to 4 to immediately initiate action under the provisions of Andhra Pradesh Metropolitan Region and *Urban Development Authority Act*, 2016, Municipal Corporations Act, 1955, building rules laid there under, to stop illegal and unauthorized constructions of respondents 5 in bearing D.No.12-8-5 & 6 at Sree Seetharama Swamy Temple opposite to the Town Hall, Suryaraopeta, Kakinada, Kakinada District by considering our Representations 8.4.2026 and 9.4.2026 pending disposal of the above writ petition;

The petition coming on for hearing, upon perusing the Petition and the affidavit filed in support thereof and upon hearing the arguments of Sri. HARI KRISHNA TATA, Advocate for the Petitioner and of GP FOR MUNICIPAL ADMN & URBAN DEV, for the Respondent No.1 and of Sri. M. KRISHNA RAO, STANDING COUNSEL, for the Respondent Nos.2 to 4;

The Court made the following ORDER:

Heard Sri Hari Krishna Tata, learned Counsel for the Writ Petitioners and Sri M. Krishna Rao, learned Standing Counsel for Kakinada Municipal Corporation.

2. Sri M. Krishna Rao, learned Standing Counsel for Kakinada Municipal Corporation, has submitted the Written Instructions furnished by the Commissioner, Kakinada Municipal Corporation. Copy of it is supplied to the learned Counsel for the Writ Petitioners and the same is taken on record.

3. The Written Instructions would indicate that the Writ Petitioners have submitted a Representation on 08.04.2026, whereas the Commissioner has issued Notice to the Executive Officer, Endowments Department even much before i.e., 07.04.2026. This Court has perused the photographs (Ex.P.7). This Court also has taken notice of the previous litigation that went on where the construction was carried on unabated by the trustee of the temple and that the temple has now been taken over by the Endowment Department.

4. Under the circumstances, this Court deems it appropriate to *suo moto* implead the District Collector, Kakinada District as Respondent No.6. Accordingly, the District Collector, Kakinada District is impleaded as Respondent No.6. Registry is directed to make necessary changes in the Cause-title.

5. Registry is also directed to print the names of Government Pleader for Revenue and Government Pleader for Endowments in the Cause-list.

6. There shall be a direction to all the parties including Respondent

No.5 to maintain *Status-quo* obtaining as on today until further Orders.

7. Let Counter Affidavit be filed within four weeks. Two weeks thereafter for filing Re-joinder, if any

8. List on 20.07.2026.

//TRUE COPY//

SD/- K.SRINIVASA RAJU
ASSISTANT REGISTRAR
SECTION OFFICER

To,

1. The Principal Secretary - Municipal Administration Department, The State of Andhra Pradesh, Secretariat, Velagapudi, Guntur District – 522238. (by SPECIAL MESSENGER)
2. The Commissioner, The Kakinada Municipal Corporation, Kakinada, Kakinada District - 533001
3. Deputy City planner, Kakinada Municipal Commissioner, Kakinada, Kakinada District - 533001
4. The Building Inspector, For D.No. 12-8-4/1 area, Kakinada Municipal Corporation, Kakinada, Kakinada District - 533001
5. The Executive Officer, Sri Seetharama Swamy Temple, Opp: Town Hall, Main Road, Kakinada, Kakinada District – 533001.
6. The District Collector, Kakinada District. (Addressee Nos. 2 to 6 BY RPAD)
7. One CC to Sri. HARI KRISHNA TATA, Advocate [OPUC]
8. Two CCs to GP FOR MUNICIPAL ADMN URBAN DEV, High Court Of Andhra Pradesh. [OUT]
9. One CC to Sri. M. KRISHNA RAO, STANDING COUNSEL [OPUC]
10. One spare copy

JSS

HIGH COURT

GRKP, J

DATED:20/04/2026

LIST ON 20.07.2026.

NOTICE BEFORE ADMISSION

WP.No.10325 of 2026

STATUS QUO

