



**IN THE HIGH COURT OF ANDHRA PRADESH  
AT AMARAVATI  
(Special Original Jurisdiction)**

**[3458]**

THURSDAY, THE THIRTIETH DAY OF APRIL  
TWO THOUSAND AND TWENTY SIX

**PRESENT**

**THE HONOURABLE SMT JUSTICE KIRANMAYEE MANDAVA**

**WRIT PETITION NOS: 24707 & 10569 OF 2025**

**WRIT PETITION NO: 24707 OF 2025**

**Between:**

1. HRR CONSTRUCTIONS PRIVATE LIMITED, BANGALORE,  
REPRESENTED BY ITS MANAGING DIRECTOR, SRI H.N.  
RAGHAVENDRA S/O LATE SRI H.B. NARAYANASWAM
2. M/S. RAMSHIL CONSTRUCTIONS PRIVATE LIMITED,  
BANGALORE, REPRESENTED BY ITS DIRECTOR, SRI H.N.  
RAGHAVENDRA S/O LATE SRI H.B.NARAYANASWAMY. 3. .
3. M/S. SHIMANI CONSTRUCTIONS PRIVATE LIMITED,,  
BANGALORE, REPRESENTED BY ITS DIRECTOR, SRI H.N.  
RAGHAVENDRA S/O LATE SRI H.B.NARAYANASWAMY. 4.
4. M/S. FINESHINE DEVELOPERS PRIVATE LIMITED,, BANGALORE,  
REPRESENTED BY ITS DIRECTOR, SRI H.N. RAGHAVENDRA S/O  
LATE SRI H.B.NARAYANASWAMY. 5.
5. M/S. H.R.S CONSTRUCTIONS PRIVATE LIMITED,, BANGALORE,  
REPRESENTED BY ITS DIRECTOR, SRI H.N. RAGHAVENDRA S/O  
LATE SRI H.B.NARAYANASWAMY. 6.
6. M/S. ANIRAGH. CONSTRUCTIONS PRIVATE LIMITED,,  
BANGALORE, REPRESENTED BY ITS DIRECTOR, SRI H.N.  
RAGHAVENDRA S/O LATE SRI H.B.NARAYANASWAMY
7. M/S. H.B.J. CONSTRUCTIONS PRIVATE LIMITED,, BANGALORE,  
REPRESENTED BY ITS DIRECTOR, SRI H.N. RAGHAVENDRA S/O  
LATE SRI H.B.NARAYANASWAMY. 8.

8. M/S. SOUDAMANI CONSTRUCTIONS PRIVATE LIMITED,, BANGALORE, REPRESENTED BY ITS DIRECTOR, SRI H.N. RAGHAVENDRA S/O LATE SRI H.B.NARAYANASWAMY. 9.
9. M/S. JAISHIL CONSTRUCTIONS PRIVATE LIMITED,, BANGALORE, REPRESENTED BY ITS DIRECTOR, SRI H.N. RAGHAVENDRA S/O LATE SRI H.B. NARAYANASWAMY. 10.
- 10.M/S. H.N.P CONSTRUCTIONS PRIVATE LIMITED,, BANGALORE, REPRESENTED BY ITS DIRECTOR, SRI H.N. RAGHAVENDRA S/O LATE SRI H.B. NARAYANASWAMY.
- 11.M/S. SEEMA CONSTRUCTIONS PRIVATE LIMITED,, BANGALORE, REPRESENTED BY ITS DIRECTOR, SRI H.N. RAGHAVENDRA S/O LATE SRI H.B. NARAYANASWAMY. 12.
- 12.M/S. THYAGARAJ CONSTRUCTIONS PRIVATE LIMITED,, VIJAYAWADA, REPRESENTED BY ITS DIRECTOR, SRI.H. RATNAKAR THYAGARAJ,
- 13.M/S. JANET PROPERTY DEVELOPERS PRIVATE LIMITED,, VIJAYAWADA, REPRESENTED BY ITS DIRECTOR, SMT. J. MALINI THYAGARAJ, 14.
- 14.M/S. SUNITA ESTATE PRIVATE LIMITED,, VIJAYAWADA, REPRESENTED BY ITS DIRECTOR, SRI. T C KARUNAKAR
- 15.M/S. JYOTSHNA ESTATES PRIVATE LIMITED,, VIJAYAWADA, REPRESENTED BY ITS DIRECTOR, SMT. JYOTSHNA CHRISTIANA. 16.
- 16.M/S. CHRISTIANA CONSTRUCTIONS PRIVATE LIMITED, VIJAYAWADA, REPRESENTED BY ITS DIRECTOR, SMT. JYOTSHNA CHRISTIANA.
- 17.M/S. DINAKAR CONSTRUCTIONS PRIVATE LIMITED, VIJAYAWADA, REPTD., BY ITS DIRECTOR, SRI. DINAKAR THYAGARAJ.
- 18.M/S. CHINTAKUNTA CONSTRUCTIONS PRIVATE LIMITED,, VIJAYAWADA, REPTD., BY ITS DIRECTOR, SRI. CH. MADHUSUDANA RAO. (PETITIONERS COMPANIES 1 TO 18 COMPANIES REGISTERED UNDER THE INDIAN COMPANIES ACT 1956 AND REPRESENTED BY THEIR AGENT REGD. GENERAL

POWER OF ATTORNEY HOLDER, DINAKAR THYAGARAJ, S/O. H.RATNAKAR THYAGARAJ, AGED 50 YEARS, RESIDENT OF 7-237, PLOT NO 39, KCP COLONY, KANURU PENAMALURU MANDAL, KRISHNA DISTRICT.

**...PETITIONER(S)**

**AND**

- 1.THE STATE OF AP, REPTD., BY THE PRINCIPAL SECRETARY, MAUD, AP SECRETARIAT, VELAGAPUDI, AMARAVATI, GUNTUR DIST. 2.
- 2.THE DIRECTOR TOWN COUNTER PLANNING, HAVING OFFICE AT GROUND FLOOR, MGM CAPITAL, BEHIND DR. NTR VAIDYA SEVA TRUST, MANGALAGIRI, GUNTUR DISTRICT. 3.
- 3.THE GREATER VISAKHAPATNAM MUNICIPAL CORPORATION, REPTD BY ITS COMMISSIONER, HAVING OFFICE AT TENNETI BHAVAN, ASILMETTA JUNCTION, VISAKHAPATNAM.
- 4.THE TRUST ASSOCIATION OF THE CONVENTION OF THE BAPTIST CHURCHES OF THE NORTHERN CIRCARS, REG NO.1211960, REP BY ITS CHAIRMAN DASARI YACOB, S/O MOSES, R/O LINGAMURTHY CENTRAL, MAIN ROAD, VUYYURU, KRISHNA DISTRICT.
- 5.M/S M V V BUILDERS, A PARTNERSHIP FIRM, REPRESENTED BY ITS MANAGING PARTNER, M.V.V. SATYANARAYANA, S/O RAGHUNAİKULU,AGED ABOUT 55 YEARS, RESIDENT OF D.NO.4-62-1, PLOT NO.21,LAWSON'S BAY COLONY, VISAKHAPATNAM. RR 4 AND 5 ARE IMPEADED AS PER THE COURT'S ORDER DT.06.01.2026 IN I.A.NOS.02 OF 2025 AND 01 OF 2026 RESPECTIVELY

**...RESPONDENT(S):**

**Counsel for the Petitioner(S):**

- 1.PILLIX LAW FIRM

**Counsel for the Respondent(S):**

- 1.PATANJALI PAMIDIGHANTAM
- 2.CKR ASSOCIATES
- 3.THE ADVOCATE GENERAL

**WRIT PETITION NO: 10569 OF 2025****Between:**

- 1.HRR CONSTRUCTIONS PRIVATE LIMITED, BANGALORE, REPRESENTED BY ITS MANAGING DIRECTOR, SRI H.N. RAGHAVENDRA S/O LATE SRI H.B. NARAYANA- SWAMY.

**...PETITIONER****AND**

- 1.THE STATE OF ANDHRA PRADESH, REPTD., BY THE PRINCIPAL SECRETARY, MUNINICAPI ADMINISTRATION UBRAN DEVELOPMENT, AP SECRETARIAT, VELAGAPUDI, AMARAVATI, GUNTUR DIST.
- 2.THE GREATER VISAKHAPATNAM MUNICIPAL CORPORATION, REPTD., BY ITS COMMISSIONER, HAVING OFFICE AT TENNETI BHAVAN, ASILMETTA JUNCTION, VISAKHAPATNAM.
- 3.THE CONVENTION OF BAPTIST CHURUCHES OF NORTHERN CIRCARS CBCNC WITHDRAWN, REPRESENTED BY ITS ELECTED AND SERVING PRESIDENT, MASA AUGUSTINE MESHACH, S/O DAVID AUGUSTINE, AGED 54 YEARS, CHRISTIAN BY FAITH, RESIDING AT DOOR NO.6-225/1, RAMESHWARAM, PEDDAPUDI MANDAL, KAKINADA, EAST GODAVARI DISTRICT -533 006. PHONE 91339 99998 EMAIL AUGUSTINEMASA@GMAIL.COM R3 IS WITHDRAWN AS PER C.O.DT.24.03.2026 IN IA.NO.1 OF 2026
- 4.THE TRUST ASSOCIATION OF THE CONVENTION OF THE BAPTIST CHURCHES OF THE NORTHERN CIRCARS, REG NO.1211960, REP BY ITS CHAIRMAN DASARI YACOB, S/O MOSES, R/O LINGAMURTHY CENTRAL, MAIN ROAD, VUYYURU, KRISHNA DISTRICT. RR 3 AND 4 ARE IMPEADED AS PER THE COURT'S ORDER DT.06.01.2026 IN I.A.NOS.02, 03 OF 2025 RESPECTIVELY

**...RESPONDENT(S):****Counsel for the Petitioner:**

- 1.PILLIX LAW FIRM

**Counsel for the Respondent(S):**

- 1.PATANJALI PAMIDIGHANTAM
- 2.SRIDEVI JAMPANI
- 3.GP MUNICIPAL ADMN AND URBAN DEV AP

**The Court made the following common order:**

Heard Sri V.V.Ravi Prasad, learned counsel appearing for the petitioners, Sri O.Manohar Reddy, learned Senior Counsel appearing on behalf of M/s. CKR Associates, learned counsel for the 5<sup>th</sup> respondent (W.P.No.24707 of 2025) and learned Assistant Government Pleader for Municipal Administration & Urban Development.

2. The instant writ petition (W.P.No.24707 of 2025) is filed challenging the proceedings of the 3<sup>rd</sup> respondent in issuing the stopwork orders dated 17.07.2025 and 24.08.2025. It is contended that the petitioners are absolute owners of the subject property situated in TS No.75/P of Waltair Ward, Visakhapatnam, having purchased the same for valuable consideration under 18 registered sale deeds from their vendor i.e., the Convention of Baptist Churches of Northern Circars (CBCNC) and its Trust Association. Later, the vendor of the petitioners was declared a surplus landholder under the provisions of the Urban Land (Ceiling and Regulation) Act, 1976, (for short, “the ULC Act, 1976”) and the sale deeds executed in favour of the petitioners were declared null and void. The said proceedings were challenged by way of two writ petitions i.e., W.P.No.8068 of 1999 and W.P.No.25078 of 2001. The said writ petitions were partly allowed and the petitioners were granted liberty to file an appeal against the order of the Special Officer. In the meantime, the final order under Section 9 and the Notifications under Sections 10 (1) and 10 (3) of the ULC Act, 1976, were issued under which the land of the CBCNC located at TS No.75/P of Waltair Ward, Visakhapatnam, was vested with the

Government. The petitioners thus sought regularization of the land in terms of G.O.Ms.No.455 dated 29.07.2002. Accordingly, vide the proceedings in G.O.Ms.Nos.2004 and 1400 dated 23.11.2005 and 25.09.2006 were issued allotting the land in favour of the petitioners, by receiving the amount prescribed under G.O.Ms.No.455 dated 29.07.2002.

3. Subsequently, one Sri Dasari Yacob claiming to be the Chairman of the CBCNC filed writ petitions in W.P.Nos.10955 of 2007&10975 of 2007 challenging the orders of regularization and also filed a civil suit in O.S.No.244 of 2006 challenging the sale deeds. The writ petitions were dismissed on 05.02.2020 and the suit was also dismissed on 11.02.2015. Thereafter, petitioners sought permission for construction of a building. Building Plan initially was approved for cellar portion vide proceedings dated 07.08.2021. The said permission was challenged by third parties by way of a writ petition in W.P.No.19418 of 2021. The said writ petition was dismissed on 08.11.2021. The 3<sup>rd</sup> respondent once again issued stop work orders based on alleged false complaints. Challenging the same, the petitioners filed another writ petition in W.P.No.8235 of 2022. The proceedings impugned in the said writ petition were set aside vide order dated 07.04.2022.

4. It is contended that at the behest of certain persons purporting to represent the CBCNC in their respective capacity, stop work orders have been issued, which the 3<sup>rd</sup> respondent has no authority or jurisdiction to issue the same. In the said regard, a reliance on Andhra Pradesh Building Rules, 2017 has been placed. It is contended that vexatious litigation pursued by the

frivolous litigants would not constitute valid basis to issue the impugned proceedings. After repeated notices for shortfalls and their compliance, the 3<sup>rd</sup> respondent accordingly issued revised building plan dated 30.04.2023. Subsequent to the issuance of the revised building plan, when the 3<sup>rd</sup> respondent was not coming forward for conducting post verification, the petitioners had filed a writ petition in W.P.No.28934 of 2024. The said writ petition was disposed of by this Court on 02.01.2025 to pass appropriate orders on the representation of the petitioners. Before issuing the final approval plan, the 3<sup>rd</sup> respondent has once again pointed out certain shortfalls, leading to the filing of the writ petition in W.P.No.10569 of 2025, wherein this Court passed interim orders directing the Corporation to issue one final list of shortfalls, which had not been complied with by the respondents in contrary issued the impugned list of shortfalls.

5. It is contended that the respondent No.5 - M/s. M.V.V.Builders, entered into a registered development agreement dated 02.08.2023 with the petitioners herein. Sri O.Manohar Reddy, learned Senior Counsel appearing on behalf of M/s. CKR Associates, learned counsel for the 5<sup>th</sup> respondent (W.P.No.24707 of 2025) would contend that the proceedings of the 2<sup>nd</sup> respondent, which refer to the pending civil litigation, should not stall the construction activity, the said litigation has nothing to do with the title of the property. Any proceedings issued by it should be in accordance with the governing rules and regulations. Having satisfied with the plan submitted along with the required documents for sanction of the building permit, the

3<sup>rd</sup> respondent can only check if the building constructed is in accordance with the plan approved and if the builder/owner has complied necessary compliances pointed by the authorities, unless the Corporation is enjoined by any order of the Court of Law, it cannot heed to the vexatious litigation. It is further contended that all the pending appeal suits in A.S.Nos.132 of 2017, 341 of 2017, 243 of 2017 & 1086 of 2017, have been disposed of, no adverse orders against the writ petitions have been passed. It is stated that pursuant to the disposal of the writ appeal in W.A.No.977 of 2024 the GVMC passed speaking order dated 13.02.2026 stating that their office has no jurisdiction to confirm any application pertaining to the said building approval, in the light of the Memo No.2815124/M2/2/2025, dated 11.05.2025, issued by the Government. In the light of the said Memo, it is the 2<sup>nd</sup> respondent, which is the appropriate authority for approval of the building plan.

6. Considered the submissions.

7. For the adjudication of the issues, it is relevant to refer to the cases referred to in the impugned notices, by the 3<sup>rd</sup> respondent.

| Sl.No. | Case No.             | Status                               |
|--------|----------------------|--------------------------------------|
| 1.     | W.P.No.32595 of 2016 | Dismissed as withdrawn on 29.01.2026 |
| 2.     | W.P.No.6398 of 2017  | Pending                              |
| 3.     | W.P.No.39363 of 2022 | Dismissed on 13.03.2016              |
| 4.     | W.P.No.8507 of 2023  | Dismissed as withdrawn on 06.01.2026 |
| 5.     | W.P.No.8508 of 2023  | Dismissed as withdrawn on 02.03.2026 |
| 6.     | W.P.No.14984 of 2024 | Pending,                             |

|     |                      |                                               |
|-----|----------------------|-----------------------------------------------|
|     |                      | Challenging stop work notice dated 19.06.2024 |
| 7.  | W.P.No.10569 of 2025 | subject writ petition                         |
| 8.  | W.P.No.12357 of 2025 | Dismissed as withdrawn on 06.01.2026          |
| 9.  | W.A.No.107 of 2022   | Pending - No interim orders                   |
| 10. | W.A.No.977 of 2024   | Allowed on 17.11.2025                         |
| 11. | A.S.No.132 of 2017   | Filed by purchasers, Allowed on 13.03.2026    |
| 12. | A.S.No.341 of 2017   | Filed by purchasers, Allowed on 13.03.2026    |
| 13. | A.S.No.243 of 2017   | No details                                    |
| 14. | A.S.No.1086 of 2017  | Dismissed as withdrawn on 02.03.2026          |

8. Regarding other shortfalls, such as the NOC from the Fire Service Department, the 3<sup>rd</sup> respondent stated that the petitioners had submitted only for a total area of 124327.52 sq. mts. But, according to the 3<sup>rd</sup> respondent, the NOC was required for a total extent of 125670.82 sq.mts. Thus, the petitioners were required to submit NOC for the entire extent of 125670.82 sq. mts. In compliance with the same, it is stated that the petitioners had submitted a fresh NOC. The next shortfall was comprehensive insurance policy, which was valid up to 18.06.2029. As per the revised building plan, the one valid up to 30.04.2030 was required. In reply to the same, the petitioners have stated that the petitioners have submitted a comprehensive insurance policy valid up to 18.06.2029, however as required by the Corporation, a comprehensive insurance policy extended from 19.06.2029 to 18.06.2030 was also submitted.

9. At this juncture, it is relevant to refer to the particular provisions of Andhra Pradesh Building Rules, 2017, particularly, Rule 3 (10) (d) (i) & (ii), which reads as follows:

**“Rule 3:**

***(10) Procedure for obtaining building permission:***

***(a)---***

***(b)----***

***(c)----***

***(d) Documents***

*The notice shall be accompanied by the following documents:*

*(i) Self-Attested copies of Ownership Documents-lease-deed/sale-deed etc. giving the physical description of the plot/property.*

*(ii) In case of any deviation from the terms and conditions stipulated in the lease deed/ownership document, necessary clearance from the Authority.”*

10. A perusal of the impugned proceedings would reflect that they are akin to a prohibition, preventing the petitioners from proceeding with the construction activity duly undertaken by it after following due procedure under law. The 2<sup>nd</sup> respondent, refers to certain cases filed by or against the petitioners at Sl.No.1 of the list of shortfalls. On the premise of the pendency of those cases before various Courts of Law, the impugned proceedings were issued to stop the construction activity forthwith, which had never been preceded by any notice. The petitioners were never called upon while issuing any show cause notice, without verifying the validity of the effect of the said proceedings on the building permit granted by it. The impugned proceedings issued are unduly harsh. The grant of building permission itself would indicate that it was issued after being satisfied with the title of the landowner and after following the procedure under law. After the grant of building permission,

unless any of the conditions of the building permission are violated, or any deviations from the build plan, or any other violations/compliances referable to the Andhra Pradesh Building Rules, 2017 or any other statutory non-compliances which are required to be complied with in furtherance of the building plan, only, the 2<sup>nd</sup> respondent can, issue proceedings in accordance with the provisions of Andhra Pradesh Building Rules, 2017, after issuing notice to the applicants. As noted from the impugned proceedings, the shortfall No.1 is not relatable to any of the violations of provisions of Andhra Pradesh Building Rules, 2017. In any event, as pointed out above at para No.7, none of the proceedings are pending, except two writ petitions and a writ appeal. In any event, on the day of initial grant of building permission itself, the 2<sup>nd</sup> respondent having satisfied with the title of the land owners/writ petitioners herein, granted the building permission.

11. Having regard to the above, this Court deems it fit to dispose of the writ petitions. It is stated by the learned counsel for the 2<sup>nd</sup> respondent that as per Memo No.2815124/M2/2/2025, dated 11.05.2025, the jurisdiction for approval of building plan in respect of buildings having 12 floors and above has been conferred upon the 2<sup>nd</sup> respondent. Accordingly, W.P.Nos.24707 and 10569 of 2025 are disposed of, directing the 2<sup>nd</sup> respondent to complete the post verification and issue appropriate proceedings for grant of final approval in terms of the latest revised plan dated 31.12.2024 within a period of one (1) month from the date of receipt of a copy of this order, without reference to the cases pending or disposed of as referred to in the impugned

proceedings dated 17.07.2025 and 24.08.2025. After ensuring that the applicants have ensured with the shortfall as pointed out by the GVMC at Sl.Nos.1 and 2 of shortfall notice dated 13.08.2024 and pass appropriate orders in accordance with law.

12. It is needless to observe that, during the course of verification, if the 2<sup>nd</sup> respondent points out any deviation in violation of the provisions of the Andhra Pradesh Building Rules, 2017, the same shall be complied with by the petitioners.

13. With the above observation, the Writ Petitions are disposed of. There shall be no order as to costs.

As a sequel, miscellaneous applications pending, if any, shall stand closed.

Date: 30.04.2026  
ANI/BSK

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**JUSTICE KIRANMAYEE MANDAVA**

**12**

**THE HONOURABLE SMT JUSTICE KIRANMAYEE MANDAVA**

**WRIT PETITION NOS: 24707 & 10569 OF 2025**

Date: 30.04.2026

ANI/BSK