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APHC010207162026



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

[3457]

MONDAY, THE 29th DAY OF JUNE 2026

PRESENT

THE HONOURABLE SRI JUSTICE HARINATH.N

WRIT PETITION NO: 10886/2026

Between:

1. SANGARU MUKUNDA RAO,, S/O.LATE S.CHINNODU AGED ABOUT 63 YEARS, OCC AGRICULTURE, R/O.THIRUMALA NAGAR, VADLAPUDI VILLAGE, GAJUWAKA, VISAKHAPATNAM.

...PETITIONER

AND

1. THE STATE OF ANDHRA PRADESH, REP. BY ITS PRINCIPLE SECRETARY MUNICIPAL ADMINISTRATION AND URBAN DEVELOPMENT, SECRETARIAT BUILDINGS, VELAGAPUDI, GUNTUR DISTRICT-522238.
2. GREATER VISAKHAPATNAM MUNICIPAL CORPORATIOP, VISAKHAPATNAM - 530048, REP. BY ITS COMMISSIONER.
3. THE TOWN PLANNING OFFICER, GREATER VISAKHAPATNAM MUNICIPAL CORPORATION, VISAKHAPATNAM - 530048.
4. THE TAHSILDAR, GAJUWAKA MANDAL VISAKHAPATNAM -530026.

...RESPONDENT(S):

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 appropriate writ or order or direction more particularly one in the nature of Writ of mandamus declaring the action of the respondents 2 and 3 and their sub-ordinate staff in interfering with petitioners construction as per approved plan vide permit NO.1086/5980/B/Z6A/DI/2022, dated 10.09.2025 issued by the respondent No.3 in an extent of the land admeasuring 76 Sq. Yards (54 plus 22 76 Sq. Yards) situated in Sy.No.61/9 of Pedagantyada Village, Gajuwaka Mandal, Visakhapatnam as illegal, arbitrary and in violation of Art.14, 19, 21 and 300A of the constitution India and also in violation of principles of natural justice and consequently direct the respondents 2 and 3 not to interfere with the construction of the petitioners building in an extent of the land admeasuring 76 Sq. Yards (54 plus 22 76 Sq. Yards) situated in Sy.No.61/9 of Pedagantyada Village, Gajuwaka Mandal, Visakhapatnam and of pass such

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 may be pleased to direct the respondents 2 and 3 not to interfere with the

construction of the petitioner's building in an extent of the land admeasuring 76 Sq. Yards (54+22=76 Sq. Yards) situated in Sy.No.61/9 of Pedagantyada Village, Gajuwaka Mandal, Visakhapatnam pending disposal of the writ petition and to pass such

Counsel for the Petitioner:

1. Y V SRINIVASAN

Counsel for the Respondent(S):

1. GP FOR MUNICIPAL ADMN URBAN DEV

The Court made the following:

THE HONOURABLE SRI JUSTICE HARINATH.N**WRIT PETITION No.10886 OF 2026****ORDER:**

1. The learned counsel for the petitioner submits that the petitioner is aggrieved by the action of respondent Nos. 2 and 3 in allegedly interfering with the construction being undertaken by the petitioner. It is submitted that the petitioner purchased land admeasuring 76 square yards in Survey No. 61/9 of Pedagantyada Village, Gajuwaka Mandal, Visakhapatnam, and commenced construction strictly in accordance with the sanctioned building plan. However, respondent Nos. 2 and 3, allegedly at the behest of certain third parties, demolished a portion of the basement constructed by the petitioner.
2. The learned Standing Counsel appearing for respondent Nos. 2 and 3, on the basis of written instructions, submits that the respondents are not interfering with the construction activity of the petitioner.
3. It is stated in the instructions that the petitioner himself has stopped the construction and that the respondent authorities are not interfering with the petitioner's construction activity. It is further stated that the area in which the petitioner proposes to undertake construction is earmarked as local shopping mall area in the approved lay out and that the respondents are in the process of identifying the subject property. It is also stated that the petitioner would be required to submit a fresh proposal seeking approval for conversion of the proposed construction

from residential to commercial use. It is further stated that the respondents shall not interfere with the petitioner's construction activity except by following the due process of law.

4. Considering the submissions and on considering the material on record, this Writ Petition is disposed of with a direction to respondent Nos. 2 to 4 not to interfere with the peaceful possession and enjoyment of the petitioner's property, nor to obstruct the construction activity being carried out by the petitioner, provided that such construction is undertaken strictly in accordance with the sanctioned building plan. It is, however, made clear that the respondents shall be at liberty to take appropriate action, if warranted, only by following the due process of law.
5. Accordingly, the writ petition is disposed off. There shall be no order as to costs.

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

JUSTICE HARINATH.N

Date: 29.06.2026
KGM

Whether the order is :

Speaking Yes/No / Reasoned Yes/No

Reportable Yes/No / Non-Reportable Yes/No

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THE HONOURABLE SRI JUSTICE HARINATH.N

WRIT PETITION No.10886 of 2026
Dated 29.06.2026