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APHC010237192026



**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: 12301/2026

Between:

1. ANDIBOYINA APPA RAO,, S/O LATE KUNCHAYYA, AGED ABOUT 64 YEARS, R/O DOOR NO. 18-33-21, PEDAGANITVADA GAJUWAKA, VISAKHAPATNAM. 530026

...PETITIONER

AND

1. THE STATE OF ANDHRA PRADESH, REP BY ITS PRI. SECRETARY, MUNICIPAL ADMINISTRATION AND URBAN DEVELOPMENT DEPARTMENT, SECRETARIAT, VELAGAPUDI, GUNTUR DISTRICT.522237

2. THE GREATER VISAKHAPATNAM MUNICIPAL CORPORATION, REP.BY ITS COMMISSIONER, VISAKHAPATNAM DISTRICT. 530003

3. THE ZONAL COMMISSIONER, GREATER VISAKHAPATNAM MUNICIPAL CORPORATION ZONE-V, VISAKHAPATNAM DISTRICT. 530003

4. SPECIAL DEPUTY COLLECTOR LAND ACQUISITION, VISAKHAPATNAM STEEL PLANT, VISAKHAPATNAM. 530031

5. THE TASHILDAR, PEDAGNATADA MANDAL VISAKHAPATNAM DISTRICT.530044

...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 a writ of mandamus, or any other appropriate writ, order or direction declaring the action of the respondents more particularly 2nd respondent trying to cause illegal demolition of the dwelling house of the petitioner bearing Door No. 18-33-21, situated at Korada, Pedaganitvada, Gajuwaka, Visakhapatnam, bounded by East plot no.2017, West plot no.2015, North plot no.2001 South Rastha without following the due process of law is as illegal, arbitrary and unconstitutional and violation of article 300-A of Constitution of India. Consequently direct the respondents not to interfere in any manner with regard to the dwelling house of the petitioner bearing door no. 18-33-21, situated at Korada Pedaganitvada, Gajuwaka, Visakhapatnam, bounded by East plot no.2017, West plot no.2015. North plot no.2001 South Rastha without following the due process of law. and to pass

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 direct the respondents more particularly 2nd respondent not to interfere in any manner with regard to the dwelling house of the petitioner bearing Door NO. 18-33-21, Situated at Korada, Pedaganitvada, Gajuwaka, Visakhapatnam, bounded by East : plot no.2017, Wes : plot no.2015, North : plot no.2001 South : Rastha without following the due process of law. Pending disposal of the main writ petition.And to Pass

Counsel for the Petitioner:

- 1.P NANILU NAIDU

Counsel for the Respondent(S):

- 1.GP FOR REVENUE
- 2.GP MUNICIPAL ADMN AND URBAN DEV AP

The Court made the following:

THE HONOURABLE SRI JUSTICE HARINATH.N
WRIT PETITION No.12301 of 2026

ORDER:

1. The petitioner is aggrieved by the attempts of respondent No.2 to demolish the petitioner's dwelling house bearing Door No.18-33-21, situated at Korada, Pedagantyada, Gajuwaka, Visakhapatnam.
2. It is the specific case of the petitioner that he has been residing in the said premises after constructing the dwelling house thereon. It is further stated that the property has been assessed to municipal taxes. According to the petitioner, respondent No.2 has been threatening to demolish the house despite the petitioner being the lawful owner and in peaceful possession of the property by virtue of a house site patta granted by the Tahsildar.
3. Today, when the matter is taken up for hearing, learned counsel appearing for respondent Nos.2 and 3 submits that the respondents have never attempted to demolish the petitioner's construction. It is submitted that the petitioner has commenced construction of an A.C. sheet shed without obtaining the requisite building plan approval. It is further submitted that respondent No.4 had stopped the said construction on 26.04.2026 and that respondent No.4 is the competent authority, having developed the Steel Plant Township and being responsible for the rehabilitation and allotment of sites within the Steel Plant area.

4. Learned counsel for the petitioner submits that no notice has been issued by respondent No.4. However, respondent No.4 has been interfering with the petitioner's peaceful possession and enjoyment of the property. It is further submitted that a house site patta was issued in favour of the petitioner on 01.02.1987 for an extent of 107 square yards.
5. Recording the submissions of the learned counsel for the petitioner, the learned Standing Counsel appearing for respondent Nos.2 and 3, and the learned Assistant Government Pleader appearing for respondent No.4, this Writ Petition is disposed of with a direction to the respondents not to interfere with the petitioner's possession or construction activity without following due process of law. It is, however, made clear that if the petitioner has raised or proceeds to raise any construction in violation of the applicable statutory provisions or without obtaining the necessary permissions, the same shall be subject to action in accordance with law, and the petitioner shall not claim any equities on account of such construction.
6. 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

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Dated 29.06.2026

KGM