

[3209]



(SHOW CAUSE NOTICE BEFORE ADMISSION)
IN THE HIGH COURT OF ANDHRA PRADESH AT AMARAVATI
(SPECIAL ORIGINAL JURISDICTION)

TUESDAY, THE SIXTEENTH DAY OF JULY
TWO THOUSAND AND TWENTY FOUR

:PRESENT:

THE HONOURABLE SRI JUSTICE NINALA JAYASURYA

WRIT PETITION NO: 14991 OF 2024

Between:

E.Sudhir Kumar, S/o.E.Augustine Swamidoss, Aged about 48 years, Occ-
Pvt., employee, R/o.D.No.51-1-66, Bandar Road, Kabadipalem, Ongole,
Prakasam District.

.... Petitioner

AND

1. The State of Andhra Pradesh, Rep by its Principal Secretary, Municipal Administration and Urban Development Department, Secretariat, Velagapudi, Amaravati, Guntur District.
2. The Ongole Municipal Corporation, Ongole, Prakasam District Rep by its Commissioner.
3. Indian Pentecostal Church, Bandar Road, Kabadipalem, Ongole, Prakasam District Rep by its Pastor Gidla Bagawan Das.
4. The District Collector, Ongole, Prakasam District.
5. The Ongole Urban Development Authority, Ongole, Prakasam District Rep by its Vice-Chairmen.

... Respondents

WHEREAS the Petitioner above named through his Advocate SRI P NAGENDRA REDDY presented this 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 to declare

the action of the Respondent No. 2 in regularizing the BPS application NO.2019/ONG/MO/643256 dated 30.06.2023 submitted by 3rd the Respondent under BPS scheme in pursuant to the G.O.Ms.No.14 even in spite of the building constructed by the 3rd Respondent is causing annoyance to the Petitioner and others and pendency of the writ appeal without issuing any prior notice to the Petitioner as arbitrary, illegal and violation of principles of natural justice and contrary to G.O.Ms.No.14 dated 04-01-2019 and violation of Article 14 and 21 of the Constitution of India and consequently set aside the impugned proceedings No.2019/ONG/MO/643256 dated 30-06-2023 issued by the 2nd Respondent and further direct the Respondents to demolish the unauthorized construction made by the Respondent in the residential area for conducting the church activities at Bandar Road, Kabadipalem, Ongole Prakasam District.

AND WHEREAS the High Court upon perusing the petition and affidavit filed herein and upon hearing the arguments of Sri P NAGENDRA REDDY Advocate for the Petitioner, GP FOR MUNICIPAL ADMINISTRATION & URBAN DEVELOPMENT for respondent no.1, Sri M.Manohar Reddy Standing Counsel for respondent no.2, directed issue of notice to the Respondent no.3, herein to show cause as to why this WRIT PETITION should not be admitted.

You viz:

The Pastor Gidla Bagawan Das , Indian Pentecostal Church, Bandar Road, Kabadipalem, Ongole, Prakasam District.

Are be and hereby directed to show cause either appearing in person or through an advocate on or before 06.08.2024 to which date the case stands

posted as to why in the circumstances set out in the petition and the affidavit filed therewith (copy enclosed) this WRIT PETITION should not be admitted.

The Court made the following: ORDER

“Heard the learned counsel for the petitioner.

Mr.M.Manohar Reddy, learned counsel takes notice on behalf of the 2nd respondent and seeks time to secure written instructions in the matter.

Issue notice to respondent No.3.

Learned counsel for the petitioner is permitted to take out personal notice on respondent No.3 by registered post with acknowledgement due and file proof of service in the Registry, by the date of next adjournment.

List the matter on 06.8.2024.”

**Sd/-G.HELNA NAIDU
ASSISTANT REGISTRAR**

//TRUE COPY//


SECTION OFFICER

To,

- 1. The Pastor Gidla Bagawan Das , Indian Pentecostal Church, Bandar Road, Kabadipalem, Ongole, Prakasam District.(by RPAD- along with a copy of petition and memorandum of grounds)**
- 2. One CC to SRI. P NAGENDRA REDDY Advocate [OPUC]**
- 3. One CC to Sri M.Manohar Reddy, Standing Counsel [OPUC]**
- 4. Two CCs to GP FOR MUNICIPAL ADMN URBAN DEV ,High Court Of Andhra Pradesh. [OUT]**
- 5. One spare copy**

ksr

HIGH COURT

NJS, J

DATED:16/07/2024

List the matter on 06.8.2024

NOTICE BEFORE ADMISSION

WP.No.14991 of 2024

