

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

FRIDAY, THE TWENTY SIXTH DAY OF JULY,
TWO THOUSAND AND TWENTY FOUR



:PRESENT:

THE HONOURABLE SRI JUSTICE B KRISHNA MOHAN
WRIT PETITION NO: 15026 OF 2024

Between:

M/s.Hayagreeva Farms and Developers, A registered Partnership firm under the provisions of Indian Partnership Act, 1932, Having its Office at Door.No.6-20-20/1, Flat.No.502, 4th Floor, Sukshetra - East Point, East Point Colony, Visakhapatnam- 530017 Rep. by the Power of Attorney/ Agent G.Venkateswara Rao, Aged 44 years, S/o. G. Janardhana Rao,

...Petitioner

AND

1. The State of Andhra Pradesh, Rep. by its Prl.Secy, Department of MA & UD, Secretariat, Velagapudi, Amaravati, Guntur District.
2. The Greater Vishakhapatnam Municipal Corporation, Vishakhapatnam, Rep by its Commissioner.
3. Vishakhapatnam Metropolitan Region Development, Authority
Visakhapatnam, Rep by Metropolitan Commissioner
4. The State of Andhra Pradesh, Rep. by its Prl.Secy, Department of Revenue, Secretariat, Velagapudi, Amaravati, Guntur District
5. The District Collector of Visakhapatnam, Visakhapatnam.
6. The Revenue Divisional Officer, Bheemunipatnam, Visakhapatnam
7. The Tahsildar, Visakhapatnam Rural, Visakhapatnam
8. Ch. Jagadeeswarudu, S/o Rama Rao, Aged about 64 years, Occ Business, R/o D.No.2-349/1, Krishna Poultries, Old Dairy Farm, Adarsh Nagar, Visakhapatnam

...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 an appropriate Writ or order or direction more particularly in the nature of Writ of Mandamus declaring the action of the Respondents more particularly the action of more particularly the action of Respondent No.2 herein in issuing proceedings vide B.A.NO.1086/3960/B/Z1/YDA/2021 (e-office-299800) dated 06.07.2024 (Served upon the Petitioner on 11.07.2024) by which the Building permission granted to the Petitioner is kept in abeyance and further directing the Petitioner to stop the work and not to proceed with any further construction activity as being illegal, arbitrary, unjust, without jurisdiction, violative of Principles of Natural Justice, violative of the provisions of the Greater Hyderabad Municipal Corporation Act, 1955, Contrary to the Order Dt. 14.03.2022 of this Hon'ble Court in W.P.No.6394 of 2022, and violative of Articles 14, 21 and 300A of the Constitution of India and Consequently, set aside the proceedings vide B.A.No.1086/3960/B/Z1A DA/2021 (e-office- 299800) dated 06.07.2024 (Served upon the Petitioner on 11.07.2024) issued by the Respondent No.2;

IA NO: 1 OF 2024:

Petition under Section 151 CPC is filed praying that in the circumstances stated in the affidavit filed in support of the writ petition, the High Court may be pleased to suspend the operation of proceedings vide B.A.No.1086/3960/B/Z1/YDA/2021 (e-office- 299800) dated 06.07.2024 (Served upon the Petitioner on 11.07.2024) issued by Respondent No.2, pending disposal of WP.No.15026 of 2024, on the file of the High Court.

IA NO: 2 OF 2024:

Petition under Section 151 CPC is filed praying that in the circumstances stated in the affidavit filed in support of the writ petition, the High Court may be pleased to Direct the Respondents not to interfere with construction activity being undertaken by the Petitioner in schedule property admeasuring an extent of Ac.12.51 cents in Sy.No.92/3 of Endada Village,

Visakhapatnam Rural Mandal, Visakhapatnam District, pending disposal of WP.No.15026 of 2024, on the file of the High Court.

The petition coming on for hearing, upon perusing the Petition and the affidavit filed in support thereof and upon hearing the arguments of Sri Ajay Kumar Kanaparthi, Advocate for the Petitioner and GP for Municipal Admn Urban Dev for the Respondent No.1 and Sri K.Madhava Reddy, Standing Counsel for the Respondent No.2 and Sri V.Surya Kiran, Standing Counsel for the Respondent No.3 and GP for Revenue for the Respondent Nos.4 to 7, the Court made the following;

ORDER:

**“At the request of the learned Advocate General, list on 01.08.2024.
There shall not be any coercive steps, till then.”**

SD/- K. SRINIVASA RAJU
ASSISTANT REGISTRAR

//TRUE COPY//

For /

SECTION OFFICER

To,

1. The Prl.Secy, State of Andhra Pradesh, Department of MA & UD, Secretariat, Velagapudi, Amaravati, Guntur District.
2. The Greater Vishakhapatnam Municipal Corporation, Vishakhapatnam, by its Commissioner. Vishakhapatnam
3. The Metropolitan Commissioner, Vishakhapatnam Metropolitan Region Development, Authority Visakhapatnam
4. The Prl.Secy, State of Andhra Pradesh, Department of Revenue, Secretariat, Velagapudi, Amaravati, Guntur District
5. The District Collector of Visakhapatnam, Visakhapatnam.
6. The Revenue Divisional Officer, Bheemunipatnam, Visakhapatnam
7. The Tahsildar, Visakhapatnam Rural, Visakhapatnam
8. Ch. Jagadeeswarudu, S/o Rama Rao, R/o D.No.2-349/1, Krishna Poultries, Old Dairy Farm, Adarsh Nagar, Visakhapatnam (Addressee Nos.2, 3 & 5 to 8 by RPAD)

9. One CC to Sri. Ajay Kumar Kanaparthi, Advocate [OPUC]
10. Two CCs to GP for Muncipal Admn Urban Dev, High Court of Andhra Pradesh. [OUT]
11. One CC to Sri K.Madhava Reddy, Standing Counsel [OPUC]
12. One CC to Sri V.Surya Kiran, Standing Counsel [OPUC]
13. Two CCs to GP for Revenue, High Court of AP [OUT]
14. One spare copy

HIGH COURT

BKM,J

DATED:26/07/2024

LIST ON 01.08.2024

ORDER

WP.No.15026 of 2024

DIRECTION

