

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

THURSDAY, THE TWENTY EIGHTH DAY OF NOVEMBER
TWO THOUSAND AND TWENTY FOUR

:PRESENT:

THE HONOURABLE SRI JUSTICE B KRISHNA MOHAN

WRIT PETITION NO: 19755 OF 2024



Between:

Achanta Venkateswar Rao, S/o A Satyanarayana, Aged about 62 years
R/o Door No 3/17, Sangayagudem, Devarapalli Mandal, West Godavari-
534313.

Petitioner

AND

1. The State of A.P., Rep. by its Prl.Secy. Department of MA & UD, Secretariat. Velagapudi, Amaravati, Guntur District.
2. The Greater Visakhapatnam Municipal Corporation, Vishakhapatnam, Rep by its Commissioner.
3. M/s.Hayagreeva Farms and Developers, Door. No.6-20-20/1, Flat.No.502, 4th Floor, Sukshetra East Point, East Point Colony, Visakhapatnam- 530017. Rep by its Managing Partner
4. 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 Respondent No.2 herein in issuing proceedings vide B .A No.1086/3960/B/Z1/YDA/2021 (e-office-299800) dated 06.07.2024 keeping the Building permission granted to the Respondent No.3 in abeyance

and further directing the Respondent No.3 to stop the work and not to proceed with any further construction activity solely because of the civil disputes pending between the Respondent Nos.3 & 4 as being illegal, arbitrary, unjust, violative of Principles of Natural Justice, violative of the provisions of the Greater Hyderabad Municipal Corporation Act, 1955 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/Z1/YDA/2021 (e-office-299800) dated 06.07.2024 issued by the Respondent No.2.

IA NO: 1 OF 2024 :

Petition under Section 151 of CPC is filed praying that in the circumstances stated in the affidavit filed in support of the 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 issued by Respondent No.2, Pending disposal of WP 19755 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 KALEPU YASHWANTH, Advocate for the Petitioner and of GP MUNICIPAL ADMN AND URBAN DEV AP for the Respondent No.1 and of SRI J.DILEEP KUMAR, Advocate for the Respondent No.2 and of SRI SRINIVAS RAO BODDULURI, Advocate for the Respondent Nos.3 & 4, the Court made the following

ORDER:

"The learned counsel for the petitioner submits that the 2nd respondent authority is even objecting for the completion of internal works of the subject Villa belonging to the petitioner. Since the interim order has been granted in the main case i.e., in W.P.No.15026 of 2024, the interim relief is extended in this case also to the effect as under: ✓

"The petitioner can proceed with the internal/interior works only". ✓

List the W.P.No.19881 of 2024 along with this batch on 12.12.2024.

In the meanwhile, the counters, if any, shall be filed by the respondents."

SD/- M.PRABHAKARA RAO
ASSISTANT REGISTRAR

//TRUE COPY//

SECTION OFFICER

For /

To,

1. The Prl.Secy. Department of MA and UD, State of Andhra Pradesh, Secretariat, Velagapudi, Amaravati, Guntur District. [by SPL. MESSENGER]
2. The Commissioner, Greater Visakhapatnam Municipal Corporation, Vishakhapatnam.
3. The Managing Partner, M/s.Hayagreeva Farms and Developers, Door. No.6-20-20/1, Flat.No.502, 4th Floor, Sukshetra East Point, East Point Colony, Visakhapatnam- 530017.
4. 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 (2 to 4 by RPAD)
5. One CC to SRI. KALEPU YASHWANTH Advocate [OPUC]
6. Two CCs to GP MUNICIPAL ADMN AND URBAN DEV AP ,High Court Of Andhra Pradesh. [OUT]
7. One CC to SRI J.DILEEP KUMAR, Advocate. [OPUC]
8. One CC to SRI SRINIVAS RAO BODDULURI, Advocate. [OPUC]
9. One spare copy

ER

HIGH COURT

BKM,J

DATED:28/11/2024

LIST THE W.P.NO.19881 OF 2024 ALONG
WITH THIS BATCH ON 12.12.2024

ORDER

WP.No.19755 of 2024

DIRECTION

