

APHC010397192025



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

[3460]

THURSDAY, THE NINETEENTH DAY OF FEBRUARY
TWO THOUSAND AND TWENTY SIX

PRESENT

THE HONOURABLE SRI JUSTICE NYAPATHY VIJAY

CONTEMPT CASE NO: 2019/2025

Between:

Gadasala Kanaka Lakshmi

...PETITIONER

AND

Sri Y Srilakshmi Ias and Others

...CONTEMNOR(S)

Counsel for the Petitioner:

1. CHUKKA KRANTHI KIRAN

Counsel for the Contemnor(S):

1. A S C BOSE (SC FOR MUNICIPAL CORPORATIONS AP)

2. K SRINIVASA PRASAD

3.

The Court made the following:

THE HON'BLE SRI JUSTICE NYAPATHY VIJAY**C.C.No.2019 of 2025****O R D E R:**

The Contempt Case is filed questioning the non-compliance of the orders of this Court dated 06.05.2025 passed in W.P.No. 16718 of 2020.

2. W.P.No.16718 of 2020 was filed questioning the cancellation of building Permit Order dated 18.09.2019 vide B.A. File No.1086/1297/B/Z5/CDA/2016 without any notice and the consequential Stop Work Order dated 11.05.2020 vide Letter No.SWO/1086/2018/2506 and the Endorsement dated 11.05.2020 vide EDS/1086/2018/2909 passed by the Respondents returning the proposals for the building plan on sustainable grounds in the land to an extent of Ac.0.75 cents in Sy.No.154/3 situated in Chinagantyada, Gajuwaka, Visakhapatnam District, as illegal and arbitrary. Considering the rival submissions, this Court allowed the said Writ Petition and the operative portion of the Order reads as under:

“21.The above mentioned Paragraphs show inconsistencies spread all over from time to time by the Respondents with regard to the

building permission application by the Petitioner. The objections are varying from time to time and the consistent plea of Petitioner is that there was a RCC building in Sy.No.159/3 in an extent of Ac.0.75 cents for which the Petitioner and their predecessors were paying tax to Chinaguntyada as well as Gajuwaka referred above, is not addressed at any point of time.

22. Therefore, this Court is not satisfied with the inconsistent objections taken by the Respondent authorities from time to time and the impugned proceedings issued by the Respondent authorities are set-aside.

23. Accordingly, the Writ Petition is allowed. As a sequel, pending applications, if any, shall stand closed”.

3. It is stated that after receipt of the copy of the Orders in W.P. No. 16718 of 2020 dated 06.05.2025, the Petitioner furnished the copy of the Order along with representation through PGRS Grievance No. VSP 202505123921, dated 12.05.2025, for which the Respondent Authorities, without any application of mind, stated that the Orders of the Hon’ble court will be placed before higher authorities for their approval and called upon the Petitioner to wait till then. Hence, the present Contempt Case.

4. In the Counter Affidavit filed by the Respondents, it is stated that as the shortfall document was set aside, there are no live shortfalls pertaining to the building, and if the Petitioner commences the building construction, the Corporation shall ensure that the construction is in terms of the building rules as contemplated under the APMC Act, 1955. It is further stated that the Respondent Corporation neither halted the construction nor issued any fresh notice to the Petitioner, and the Petitioner, being in possession of the site, has not commenced construction activity, and a lorry is operating therein.

5. Heard the respective counsel.

6. A reading of the affidavit filed in support of the Contempt Case, it does not disclose what the actual violation committed by the Respondent Authorities is. Further, in the light of the submissions made in paragraph No. 6 of the Counter Affidavit, no contempt is made out.

7. Accordingly, the Contempt Case is dismissed. There shall be no order as to costs.

As a sequel, the miscellaneous petitions, if any, pending in this Petition/case shall stand closed.

Date: 19.02.2026
eha

NYAPATHY VIJAY, J

THE HONOURABLE SRI JUSTICE NYAPATHY VIJAY



Contempt Case No. 2019/2025

Dt. 19 .02.2026

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