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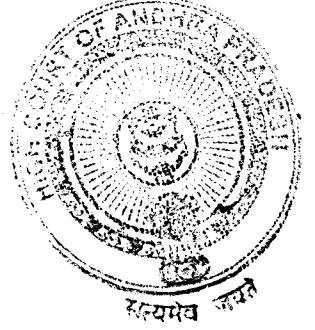
IN THE HIGH COURT OF ANDHRA PRADESH: AT AMARAVATI

(Special Original Jurisdiction)

THURSDAY, THE ELEVENTH DAY OF NOVEMBER
TWO THOUSAND AND TWENTY ONE

:PRESENT:

THE HONOURABLE SRI JUSTICE D.RAMESH



WRIT PETITION NO: 24647 OF 2021

Between:

1. S Nannebi, W/o Shaik Kamal Saheb, aged 56 years, D.No.22-11-97/2, Gollavanigunta, Renigunta Road, Tirupati City, Chittoor District
2. S.Naveenkumar Reddy, S/o Janardhan Reddy, aged 40 years, D.No.22-11-111/A, Gollavanigunta, Renigunta Road, Tirupati city, Chittoor District
3. G.Murali Mohan Reddy, S/o G.Subarami Reddy, aged about 67 years, R/o at D.No.11-112/3, Gollavanigunta, Renigunta Road, Tirupati City, Chittoor District
4. N.Somasekhar Raju, S/o Narasimha Raju, aged 54 years, R/o D.No.22-11-138/1A, Gollavanigunta, Renigunta Road, Tirupati city, Chittoor Dist.

Petitioners**AND**

1. The State of Andhra Pradesh, rep. by its Principal Secretary, Dept. of Municipal Administration and Urban Development, Secretariat, Velagapudi, Amaravati
2. Tirupati Municipal Corporation, rep. by its Commissioner, Tirupati
3. Assistant City Planner, Municipal Corporation, Tirupati

Respondents

WHEREAS the Petitioners above named through their Advocate SRI.V.ESWARAIAH CHOWDARY 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 may be pleased to issue a writ in the nature of a writ of mandamus or any other appropriate writ, direction, order or orders declaring the action of respondents 2 and 3 herein in trying to demolition of the residential houses bearing D.Nos.22-11-97/2, 22-11-111/A, 22-11-112/3 and D.No.22-11-138/1A Gollavanigunta, Renigunta Road, Tirupati City vide notices, dt.25-08-2020 issued by the 3rd respondent as well as general notice (nil date) issued by the 2nd respondent herein for the purpose of widening the existing road (Road Development Plan, Gollavanigunta) without following the procedure under law as wholly arbitrary, illegal, without jurisdiction and void and violated the principles of natural justice and affected the petitioners rights guaranteed under Articles 14, 19(1)(g) and 300(A) of the Constitution of India and consequently, direct the respondents 2 and 3 herein not take the petitioners house properties bearing D.Nos.22-11-97/2, 22-11-111/A, 22-11-~~111~~112/3 and D.No.22-11-138/1A in part and parcel of Sy.Nos.65/13A, 62/13B, 76, 9, 10, 11A, 11B and 11C, 63/2 and 72/6 to 10 of Gollavanigunta village accounts, Renigunta Road, Tirupati City without initiate the procedure under land acquisition act 2013;

AND WHEREAS the High Court upon perusing the petition and affidavit filed herein and upon hearing the arguments of Sri.V.Eswaraiah Chowdary Advocate for the Petitioner and of Sri.K.Suresh Kumar Reddy, learned Standing Counsel for Respondent No.2 & 3, directed issue of notice to the Respondents herein to show cause as to why this WRIT PETITION should not be admitted.

You viz:

1. The Principal Secretary, Dept. of Municipal Administration and Urban Development, State of Andhra Pradesh, Secretariat, Velagapudi, Amaravati

2. The Commissioner, Tirupati Municipal Corporation, Tirupati
3. The Assistant City Planner, Municipal Corporation, Tirupati

are directed to show cause either appearing in person or through an Advocate, 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, on or before 10.12.2021, on which date the case stands posted for hearing.

IA NO: 1 OF 2021

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 may be pleased to direct the respondents No. 2 and 3 herein not to demolish the petitioners house bearing D.Nos.22-11-97/2, 22-11-111/A, 22-11-112/3 and D.No.22-11-138/1A in part and parcel of Sy.No. in part and parcel of Sy.Nos.65/13A, 62/13B, 76, 9, 10, 11A, 11B and 11C ,63/2 and 72/6 to 10 of Gollavanigunta, Renigunta Road, Tirupati City, Chittoor District without initiating the procedure under land acquisition Act 2013, pending disposal of the Writ Petition No. 24647 of 2021, on the file of the High Court.

THE COURT MADE THE FOLLOWING ORDER:

Notice before admission returnable in four (04) weeks.

The respondents are directed not to demolish the subject property of the petitioners, without following due process of law.

//TRUE COPY//

SD/- K.TATA RAO
DEPUTY REGISTRAR
SECTION OFFICER

To,

1. The Principal Secretary, Dept. of Municipal Administration and Urban Development, State of Andhra Pradesh, Secretariat, Velagapudi, Amaravati
2. The Commissioner, Tirupati Municipal Corporation, Tirupati
3. The Assistant City Planner, Municipal Corporation, Tirupati (1 TO 3 by RPAD- along with a copy of petition and affidavit)
4. One CC to SRI.V.ESWARAIAH CHOWDARY Advocate [OPUC]
5. Two CCs to GP for Municipal Administration and Urban Development, High Court Of Andhra Pradesh. [OUT]
6. One CC to Sri.K.Suresh Kumar Reddy, Standing Counsel (OPUC)
7. One spare copy

SRL

HIGH COURT

DRJ

DATED:11/11/2021

NOTICE BEFORE ADMISSION

WP.No.24647 of 2021

DIRECTION

