



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



THURSDAY, THE SEVENTH DAY OF AUGUST
TWO THOUSAND AND TWENTY FIVE

PRESENT

THE HONOURABLE SRI JUSTICE HARINATH.N

WRIT PETITION NO: 20836 OF 2025

Between:

Shaik Hasan Vali @ Hasen Vali @ Hussain Vali, S/o Shaik Mahaboob Subhani, Aged about 42 years, Occ Running Bismillah Kichidi shop, R/o 31-667, Ankalammapeta, Near Ankamma Temple, Vinukonda, Palnadu District.

...Petitioner

AND

1. The State of Andhra Pradesh, Represented by its Principal Secretary, Municipal Administration Department, A.P Secretariat buildings, Velagapudi, Guntur District.
2. The Commissioner and Director of Municipal Administration, Andhra Pradesh, Tadepalli, Guntur District.
3. The Vinukonda Municipality, Rep. By its Commissioner, Vinukonda, Palnadu district.

...Respondents

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 or direction more particularly one in the nature of Writ of Mandamus declaring the action of the 3rd respondent and its staff in interfering with the possession and taking steps to demolish the shop of the petitioner with asbestos sheet roof i.e. Kichidi Point (earlier Bismilla Kichidi

Center) in Sy.No. 367/D situated at Lawyers Street, Opp. Subbarao Petrol Bunk, Vinukonda Town, Palnadu District without following due process of law despite the orders of this Hon'ble Court in W.P.No. 29644 of 2013 dated 10-12-2018 and W.P.No. 28269 of 2022 dated 06-09-2022 to follow due process of law before taking action against petitioner's shop as illegal, arbitrary, unconstitutional and direct the 3rd respondent and its staff to desist from interfering with possession or demolition of the shop of petitioner without following due process of law.

IA NO: 1 OF 2025

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 to direct the 3rd respondent herein and its staff not to interfere with the possession of shop of the petitioner with asbestos sheet roof i.e. 'Kichidi Point' (earlier Bismilla Kichidi Centerjin Sy.No. 367/D situated at Lawyers Street, Opp. Subbarao Petrol Bunk, Vinukonda Town, Palnadu District in any manner including trespass, dispossession from demolition.

Counsel for the Petitioner: M/S. SASANKA BHUVANAGIRI

**Counsel for the Respondent Nos. 1 & 2: GP FOR MUNICIPAL ADMN AND
URBAN DEV**

**Counsel for the Respondent No.3: SMT. SIREESHA RANI
VALLABHANENI (SC FOR
MUNICIPALITIES)**

The Court made the following



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

[3457]

THURSDAY, THE SEVENTH DAY OF AUGUST
TWO THOUSAND AND TWENTY FIVE

PRESENT

THE HONOURABLE SRI JUSTICE HARINATH.N

WRIT PETITION NO: 20836/2025

Between:

1. SHAIK HASAN VALI @ HASEN VALI @ HUSSAIN VALI,, S/O SHAIK MAHABOOB SUBHANI, AGED ABOUT 42 YEARS, OCC RUNNING BISMILLAH KICHIDI SHOP, R/O 31-667, ANKALAMMAPETA, NEAR ANKALAMMA TEMPLE, VINUKONDA, PALNADU DISTRICT.

...PETITIONER

AND

1. THE STATE OF ANDHRA PRADESH, REPRESENTED BY ITS PRINCIPAL SECRETARY, MUNICIPAL ADMINISTRATION DEPARTMENT, A.P SECRETARIAT BUILDINGS, VELAGAPUDI, GUNTUR DISTRICT.

2. THE COMMISSIONER AND DIRECTOR OF MUNICIPAL ADMINISTRATION, ANDHRA PRADESH, TADEPALLI, GUNTUR DISTRICT.

3. THE VINUKONDA MUNICIPALITY, REP. BY ITS COMMISSIONER, VINUKONDA, PALNADU DISTRICT.

...RESPONDENT(S):

Counsel for the Petitioner:

1. SASANKA BHUVANAGIRI

Counsel for the Respondent(S):

1. GP MUNICIPAL ADMN AND URBAN DEV AP

The Court made the following:

ORDER:-

The learned counsel for the petitioner submits that this is the third round of litigation, aggrieved by the action of the 3rd respondent in threatening to dispossess the petitioner from the property where the petitioner has been running a kichidi shop.

2. It is submitted that similar attempts were made by the respondent authorities, and the petitioner had filed W.P. No. 29644 of 2013, which was disposed of on 10.12.2018, duly recording the submissions of the then Standing Counsel for the 3rd respondent herein that any action initiated against the petitioner would be in accordance with due process of law. It is also submitted that the action of the 2nd respondent and the 3rd respondent in seeking to dispossess the petitioner was challenged in W.P. No. 28269 of 2022, and the said writ petition was disposed of on 06.09.2022.

3. This Court observed that the 3rd respondent shall have to comply with the orders passed in W.P. No. 29644 of 2013. It is submitted that the 3rd respondent is now trying to dispossess the petitioner without issuing any notice.

4. The learned Standing Counsel appearing for the 3rd respondent submits that the petitioner has erected temporary tin sheds over the drainage nala, which is an illegal structure, and that the respondent authorities shall follow due process of law for evicting the petitioner.

5. Recording the submissions, this writ petition is disposed off, directing the 3rd respondent to follow due process of law before taking any steps against the petitioner. There shall be no order as to costs.

As a sequel, miscellaneous petitions pending, if any, shall stand closed.

//TRUE COPY//

Sd/- T. SRINIVASA RAO
ASSISTANT REGISTRAR


SECTION OFFICER

To,

1. The Principal Secretary, Municipal Administration Department, A.P Secretariat buildings, Velagapudi, Guntur District.
2. The Commissioner and Director of Municipal Administration, Andhra Pradesh, Tadepalli, Guntur District.
3. The Commissioner, Vinukonda Municipality, Vinukonda, Palnadu district.
4. One CC to M/s. Sasanka Bhuvanagiri Advocate [OPUC]
5. Two CCs to GP for Municipal Admn and Urban Dev, High Court of Andhra Pradesh [OUT]
6. Two CD Copies

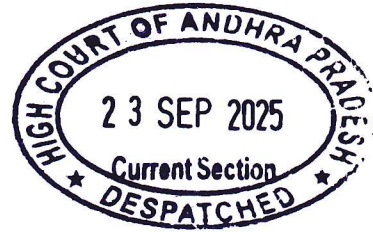
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HIGH COURT

DATED:07/08/2025

ORDER

WP NO. 20836 OF 2025



DISPOSING OF THE W.P., WITHOUT COSTS