

APHC010410542025



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

[3457]

WEDNESDAY, THE SIXTH DAY OF AUGUST
TWO THOUSAND AND TWENTY FIVE

PRESENT

THE HONOURABLE SRI JUSTICE HARINATH.N

WRIT PETITION NO: 20936/2025

Between:

1. BADRI SATYA NARAYANA, C/O B.RACHAIAH, AGE 58 YEARS, OCC PROPRIETOR OF SRI SAI FURNITURE, R/O D.NO.16-32, MUNI REDDY NAGAR, NEAR SACHIVALAYAM, MR PALLI, TIRUPATHI DISTRICT-517502.

...PETITIONER

AND

1. THE STATE OF AP, REPRESENTED BY ITS PRINCIPAL SECRETARY DEPARTMENT OF MUNICIPALITIES SECRETARIAT, VELAGAPUDI VILLAGE, GUNTUR DISTRICT.
2. THE TIRUPATI MUNICIPAL CORPORATION, REPRESENTED BY ITS COMMISSIONER, TIRUPATI, ANDHRA PRADESH.
3. THE DISTRICT COLLECTOR, TIRUPATI DISTRICT, TIRUPATI.
4. THE HEALTH OFFICER, MUNICIPAL CORPORATION, TIRUPATI.
5. SRI D NAGARAJU, S/O NOT KNOWN TO THE PETITIONER, AGED ABOUT NOT KNOWN TO THE PETITIONER, OCC RETIRED PRINCIPAL, R/O D.NO.23-07-95/19, SANTHI NAGAR, M.R.PALLI, TIRUPATI, TIRUPATI DISTRICT.

...RESPONDENT(S):

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 an appropriate writ, order or direction more particularly one in the nature of Writ of Mandamus, action of the Respondents No.2 and 4 in interfering with the lawful business operations of the Petitioners furniture shop and threatening with coercive measures without considering his explanations dated 15.07.2024, 04.01.2025 and 02.08.2025 to the show cause notices dated 10.07.2024 and 02.01.2025 and failure of the Respondents in conducting proper enquiry, as illegal, arbitrary, high handed and violative of fundamental rights guaranteed to the Petitioner under Articles, 14, 19, 21, 300A of the Indian Constitution and consequently to direct the Respondents not to interfere with the lawful business operations of the Petitioners furniture shop Sri Sai Furniture, at D.No.23-7- 95/23/1, Shanti Nagar, MR Palli, Tirupati without following due process of law and to pass

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 respondents not to take any coercive steps against the Petitioner's furniture shop, Sri Sai Furniture, at D.No.23-7-95/23/1, Shanti Nagar, MR Palli, Tirupati, including closure of the shop, confiscation of goods, or cancellation of licenses, pending disposal of the writ petition and pass

Counsel for the Petitioner:

1. ARUN SHOWRI G

Counsel for the Respondent(S):

1. GP FOR REVENUE

2. GP MUNICIPAL ADMN AND URBAN DEV AP

The Court made the following Order:

1. The petitioner is aggrieved by the action of respondent No.2 in approaching the petitioner's premises and demanding that the petitioner to close down the shop, as the 2nd respondent had received complaints from the neighbors. It is submitted that the 2nd respondent had issued notices on 18.07.2024 and 02.01.2025 calling upon the petitioner to explain as to why the trade is being carried out, as the petitioner is running a furniture shop in a residential premises. It is further submitted that the petitioner submitted his response, and no action was taken pursuant to the same. However, this time, without issuing any prior notice, the 2nd respondent authorities have called upon the petitioner to close down the shop after the filing of the writ petition.
2. Today, the 2nd respondent has issued a notice dated 06.08.2025 in the present writ petition, calling upon the petitioner to remove the material which is allegedly stored by the petitioner within the outside and inside the premises.
3. The learned Standing counsel for the 2nd respondent submits that the officers of the 2nd respondent have visited the petitioner's premises and have also noticed that the petitioner is running a furniture shop and, for repairing the furniture or for related activities, is utilizing the excess road space, which is causing inconvenience to the public.
4. Considering the submissions, there shall be a direction to the 2nd respondent not to disturb the peace of the petitioner without following the

due process of law. It is also made clear that the petitioner should not cause inconvenience to the residents of the area and shall not occupy the common passage used by residents for ingress and egress.

5. Accordingly, the present writ petition is disposed off. There shall be no order as to costs.

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

JUSTICE HARINATH.N

Date: 06.08.2025
NKA

74

HONOURABLE SRI JUSTICE HARINATH.N

Writ Petition No.20936 of 2025

Date: 06.08.2025

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