

APHC010411082025



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



TUESDAY, THE TWELFTH DAY OF AUGUST
TWO THOUSAND AND TWENTY FIVE

PRESENT

THE HONOURABLE SRI JUSTICE HARINATH.N

WRIT PETITION NO: 20986 OF 2025

Between:

Shaik Rijwana, D/o Late Dastagiri, aged about 40 years, R/o Dr.No.25-1-170,
Plot No.4-A, Lakshmi narasimhapuram, Podalkur Road, Nellore City, SPSR
Nellore District (A.P)

...Petitioner

AND

1. State, through the Principal Secretary, the Municipal Administration and
Urbane Development Department, A.P.Secetrary, Velagapudi,
Amaravati 522237
2. The Nellore Municipal Corporation, through its Commissioner,
Darmaitta, Nellore City - 524003
3. The Dargamitta Police Station, through its SHO, Dargamitta, Nellore
City - 524003

...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 the Writ of Mandamus or any appropriate Writ directing the
Respondent Nos.2 and 3 to not to interfere with the Fundamental Rights of the
Petitioner in respect of her subject property and may direct them to produce

the certified copies of alleged approved Layout plan, its approval proceedings and the proceedings of land use from agricultural purpose to residential use.

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 Respondent Nos.2 and 3 to not to interfere with the Fundamental Rights of the Petitioner in respect of her subject property pending disposal of W.P.

Counsel for the Petitioner: M/S. TAMMA POOJA DEEPTHI

Counsel for the Respondent No.3: GP FOR HOME

**Counsel for the Respondent No.1: GP FOR MUNICIPAL ADMN AND
URBAN DEV**

**Counsel for the Respondent No.2: SRI A S C BOSE (SC FOR MUNICIPAL
CORPORATIONS)**

The Court made the following order:



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

[3457]

TUESDAY, THE TWELFTH DAY OF AUGUST
TWO THOUSAND AND TWENTY FIVE

PRESENT

THE HONOURABLE SRI JUSTICE HARINATH.N

WRIT PETITION NO: 20986/2025

Between:

1. SHAIK RIJWANA, , D/O LATE DASTAGIRI, AGED ABOUT 40 YEARS,
R/O DR.NO.25-1-170 , PLOT NO.4-A, LAKSHMI NARASIMHAPURAM,
PODALKUR ROAD, NELLORE CITY, SPSR NELLORE DISTRICT
(A.P)

...PETITIONER

AND

1. STATE, THROUGH THE PRINCIPAL SECRETARY, THE MUNICIPAL
ADMINISTRATION AND URBAN DEVELOPMENT DEPARTMENT,
A.P. SECRETARY, VELAGAPUDI, AMARAVATI 522237

2. THE NELLORE MUNICIPAL CORPORATION, THROUGH ITS
COMMISSIONER, DARMAITTA, NELLORE CITY - 524003

3. THE DARGAMITTA POLICE STATION, THROUGH ITS SHO,
DARGAMITTA, NELLORE CITY - 524003

...RESPONDENT(S):

Counsel for the Petitioner:

1. TAMMA POOJA DEEPTHI

Counsel for the Respondent(S):

1. GP FOR HOME

2. GP MUNICIPAL ADMN AND URBAN DEV AP

The Court made the following:

Order:

The learned counsel for the petitioner submits that the petitioner is aggrieved by the inaction on the part of the respondents in not considering her representation dated 04.02.2025 and also the unauthorized action of the 2nd respondent in demolishing the compound wall of the petitioner.

2. It is alleged that on 12.04.2025 and again on 01.08.2025, officials of the 2nd respondent, accompanied by men from the 3rd respondent, re-entered the property of the petitioner and claimed that the petitioner was in occupation of open plot in the layout L.P.No.95/1991. In this regard, the petitioner submitted a representation seeking a copy of the layout bearing L.P.No.95/1991 and other related documents from the 2nd respondent.

3. Heard the learned counsel for the petitioner and the learned Standing Counsel appearing for the 2nd respondent.

4. The learned Standing Counsel appearing for the 2nd respondent submits that, to ascertain the ownership of the petitioner, the 2nd respondent sought submission of a copy of the petitioner's title document; however, instead of submitting the same, the petitioner submitted a representation calling upon the 2nd respondent to furnish the documents as detailed in her representation dated 04.02.2025.

5. It is further submitted that, on instructions, a civil suit bearing O.S. No. 7 of 2024 is pending before the Senior Civil Judge, Nellore. Upon inspection of the subject site, it was determined that the respondent authorities have neither demolished the wall nor trespassed into the subject property. On enquiry, it

was found that the compound wall was erected by the petitioner about two years ago and, as of the date of inspection the same is intact. It is also stated in the written instructions that the subject site is not covered under L.P. No. 95/1991.

6. Accordingly, this Writ Petition is disposed off at the stage of admission, making it clear to the petitioner to submit a copy of her sale deed and title deed to the 2nd respondent and the 2nd respondent shall duly consider the same and dispose of the representation of the petitioner in accordance with law. At any rate, the same shall be completed within a period of six (06) weeks from the date of receipt of this order. Till then, the respondent authorities shall not disturb the petitioner's possession. There shall be no order as to costs.

7. Pending miscellaneous petitions, if any, shall stand closed.

Sd/- M RAMESH BABU
DEPUTY REGISTER

//TRUE COPY//

SECTION OFFICER

To,

1. The Principal Secretary, Municipal Administration and Urban Development Department, Secretariat, Velagapudi, Amaravati 522237
2. The Commissioner, Nellore Municipal Corporation, Dargamitta, Nellore City - 524003
3. The SHO, Dargamitta Police Station, Dargamitta, Nellore City - 524003
4. One CC to M/s. Tamma Pooja Deepthi Advocate [OPUC]
5. One CC to Sri A S C Bose (SC for Municipal Corporations) Advocate [OPUC]
6. Two CCs to GP for Home, High Court of Andhra Pradesh [OUT]
7. Two CCs to GP for Municipal Admin and Urban Dev, High Court of Andhra Pradesh [OUT]
8. Two CD Copies

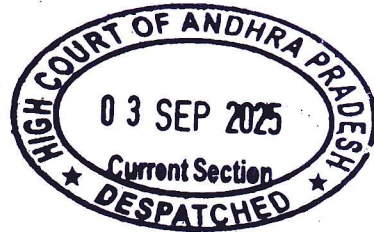
TF

HIGH COURT

DATED:12/08/2025

ORDER

WP NO. 20986 OF 2025



**DISPOSING OF THE W.P. AT THE STAGE OF
ADMISSION, WITHOUT COSTS**