

APHC010436772014



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

[3328]

TUESDAY, THE TWENTY SEVENTH DAY OF JANUARY
TWO THOUSAND AND TWENTY SIX

PRESENT

**THE HONOURABLE SRI JUSTICE GANNAMANENI RAMAKRISHNA
PRASAD**

WRIT PETITION NO: 39242/2014

Between:

1. SMT. K. SHANTHI, ANANTHAPUR DIST., W/O K. SRINIVASULU, AGED ABOUT 50 YEARS, OCC: HOUSEWIFE, R/O D.NO.11/298, A-13, ANANTHAPUR TOWN AND MANDAL, ANANTHAPUR DISTRICT. ANDHRA PRADESH.

...PETITIONER

AND

1. PRL SECY M A DEPT ANO, MUNICIPAL ADMINISTRATION DEPARTMENT, SECRETARIAT, HYDERABAD.
2. ANANTHAPUR MUNICIPAL CORPORATION REP BY ITS, COMMISSIONER, ANANTAPUR TOWN, ANANTHAPUR DISTRICT, A.P.

...RESPONDENT(S):

Counsel for the Petitioner:

1. PALLE NAGESWAR RAO

Counsel for the Respondent(S):

1. POTHAM VENGALA REDDY SC For M. Corporation in Rayalaseema region In
2. GP-MUNCIPAL ADMN AND URBAN DEV(AP)

The Court made the following:

ORAL ORDER:

Heard Sri G.R. Sudhakar, learned Counsel appearing on behalf of Sri Nageswar Rao Palle, learned Counsel for the Writ Petitioner and Sri P. Vengala Reddy, learned Standing Counsel for Respondent No.2.

2. Sri P. Vengala Reddy, learned Standing Counsel for Respondent No.2, has submitted the Written Instructions furnished by the Town Planning Officer, Municipal Corporation, Ananthapuramu. Copy of it is supplied to the Counsel for the Writ Petitioner as well and the same is taken on record. Para 3 of the Written Instruction is usefully extracted hereunder:

“3. It is submitted that, at present during regular field inspections of the Town Planning Staff, it was observed that a construction has been commenced beside D.No:28/985, Sy. No: (1988-1A & 1988-2A at Sangamesh Nagar, Anantapur in an extent of about Ac 0.07 Cents. On inquiry regarding the approvals of the construction, the petitioner herein has orally stated that approvals were taken for construction of the house in the year 1999 in group housing. The Town Planning staff have informed the petitioner that previous approval taken in the year 1999 is not valid and instructed to renew their permission for commencing the construction as per Rules in force and also informed to submit permission details and ownership documents at this office to verify but owner denied for submission of the documents. Further, the TP staff instructed the petitioner that not to proceed with the construction work until obtaining prior approvals regarding construction as per the Rules laid on but this office never threatened the petitioner but the petitioner made false allegations and approached the Hon'ble court by suppressing facts.”

3. Para 3 of the Written Instruction would indicate that the present Writ Petition was filed in the year 2014 only with mere apprehension that the Respondents are likely to interfere with the possession of the Writ Petitioner with regard to the subject property. The Written Instruction would indicate that the Writ Petitioner is making some attempts to make some unauthorised constructions without obtaining permission from the Municipal Corporation.

4. Having taken note of the facts in the Written Instruction, this Court deems it appropriate to dispose of this Writ Petition, directing the Writ Petitioner to undertake the construction only in accordance with the permission granted by the Municipal Corporation (Respondent No.2) and not otherwise. If the Writ Petitioner violates, the Respondents are at liberty to initiate appropriate action in accordance with law.

5. With these observations and directions, this Writ Petition stands disposed of. No order as to costs.

6. Interlocutory Applications, if any, stand closed in terms of this order.

GANNAMANENI RAMAKRISHNA PRASAD, J

Dt:27.01.2026

Vns