



IN THE HIGH COURT OF ANDHRA  
PRADESH  
AT AMARAVATI

Bench Sr.Nos:-38 &  
43  
[3446]

WRIT PETITION Nos.23119 of 2024 & 34038  
of 2025

**W.P.No.23119 of 2024:-**

M/s. Viragoo Restro Bar and  
another

...Petitioners

Vs.

The State of Andhra Pradesh and others

...Respondents

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Advocate for petitioners : Sri N. Ashwani Kumar

Advocates for respondents : Smt S. Pranathi, learned Special G.P.,  
Sri Bolla Venkata Rama Rao, learned  
Standing Counsel for Andhra Pradesh  
Pollution Control Board.

**CORAM : THE CHIEF JUSTICE DHIRAJ SINGH THAKUR  
SRI JUSTICE R. RAGHUNANDAN RAO**

**DATE : 26th February 2026**

**P C :**

In Writ Petition No.34038 of 2025, the petitioner *inter alia* challenges the order passed by the Commissioner, Greater Visakhapatnam Municipal Corporation, Visakhapatnam-Zone-I, Bheemunipatnam, dated 18.11.2025 whereby, the petitioner has been called upon to explain as to why the structure constructed in violation of Coastal Regulation Zone (C.R.Z.) Regulations without obtaining permission from the competent authority be not demolished treating it as an unauthorized construction and stated to be in violation of the building bye laws.

It appears that the building permission granted by the G.V.M.C. was for a residential building for an area of 323.28 meters whereas what has been constructed on spot is to an extent of 687.81 sq.meters. Not only this, the premises in question are being used for commercial purpose.

The proceedings against the petitioner have been initiated as a follow up of our order passed in W.P(PIL).No.206 of 2024 in which issue with regard to violation of C.R.Z. Regulations had been highlighted.

Pursuant to the orders passed in the P.I.L., a report was sought for from the committee constituted for that purpose, which report has been now placed before us for consideration. The report pertains to the violations not only by the petitioner but also other constructions which have been raised in violation of either the Municipal Bye Laws or the C.R.Z. Regulations.

Insofar as the petitioner is concerned, the report suggests that the petitioner had not obtained the prior approval of the Ministry of Environment and Forests before undertaking the construction in question. It is also stated in the report that the construction had been raised in the CRZ-III Zone which could have been possible only with the prior approval of the Ministry and not otherwise and therefore, what is suggested is that the building in question was in clear violation of the C.R.Z. Notification of 2011.

Another violation of C.R.Z. Notification of 2011 which has been highlighted is that the untreated waste water was being generated from the restaurant and swimming pool being operated by the petitioner and was being pumped into the drain existing adjacent to the road.

Annexure-III of the C.R.Z. Notification of 2011 prescribes the guidelines for the development of beach resorts or hotels in the designated areas of CRZ-III and CRZ-II for occupation of tourists or visitors apart from obtaining prior approval from the Ministry of Environment and Forests.

Guideline No.I(o) of Annexure-III reads as under:-

***“necessary arrangements for the treatment of the effluents and solid wastes must be made and it must be ensured that the untreated effluents and solid wastes are not discharged into the water or on the beach; and no effluent or solid waste shall be discharged on the beach.”***

Apart from this, the report suggests that the petitioner had not obtained the Consent to Establish (CTE) and Consent to Operate (CTO) from A.P. Pollution Control Board and C.R.Z. Clearance from A.P. Coastal Zone Management Authority.

On a perusal of the report submitted by the committee constituted for the purpose by this Court in W.P(PIL).No.206 of 2024 consisted of the Revenue Divisional Officer, a Scientist In charge and Chief Scientist from A.P. Coastal Zone Management Authority as also the Additional Deputy Commissioner, G.V.M.C., the violations reported appeared to be quite blatant and in total, disregard to the obligations which were otherwise cast upon the petitioner to follow before undertaking any construction activity.

Learned counsel for the petitioner, however, states that he has not been given an opportunity to respond to the report which was filed in W.P(PIL).No.206 of 2024 and therefore, seeks time to place on record the petitioner's views in regard to the observations made in the report.

With a view to give an opportunity to the petitioner in this regard, we permit the petitioner to file a response within one week.

List on 12.03.2026.

**DHIRAJ SINGH THAKUR, CJ**

**R. RAGHUNANDAN RAO, J**

AMD