

IN THE HIGH COURT OF ANDHRA PRADESH AT AMARAVATI
(SPECIAL ORIGINAL JURISDICTION)

MONDAY, THE FOURTH DAY OF NOVEMBER,
TWO THOUSAND AND TWENTY FOUR

:PRESENT:

HONOURABLE SRI JUSTICE B.KRISHNA MOHAN

WRIT PETITION NO: 23119 OF 2024



Between:

1. M/s Viragoo Restro Bar, Rep by the Proprietor, Smt Maddipati Sireesha, D/o. Soma Sundara Rao, Situated at Sy. No. 329/5A, Kapuluppada, Ward-4, Zone-1, Bheemli, Visakhapatnam.
2. Smt. Maddipati Sireesha, D/o Soma Sundar Rao, Aged about 41 Years, R/o D.No.25-85/84, B-D3, Gayatri Nagar, Road No.4, PM Palem, Vishakhapatnam-53004

...Petitioners

—AND

1. The State of Andhra Pradesh, Rep. by its Principal Secretary, Department of MA & UD, Secretariat, Velagapudi, Amaravati, Guntur District.
2. The Greater Visakhapatnam Municipal Corporation, Vishakhapatnam, Rep by its Commissioner. Vishakhapatnam.
3. The Zonal Commissioner, Zone-1, Bheemili, Greater Visakhapatnam Municipal Corporation, Vishakhapatnam

...Respondents

Petition under Article 226 of the Constitution of India is filed praying that in the circumstances stated in the affidavit filed therewith, the High Court may be pleased to issue an appropriate Writ or order or direction more particularly in the nature of Writ of Mandamus declaring the action of the Respondents more particularly the action of Respondent Nos.2 and 3 herein in issuing Notice No. 1/2024 dated 03.10.2024, under Section 635 of the GHMC Act,

1965, directing the Petitioner herein to submit various documents pertaining to the ownership and permissions of the building situated in Sy.No. 329/5A as being illegal, arbitrary, unjust without Jurisdiction, Without application of Mind, contrary to the provisions of the Greater Hyderabad Municipal Corporation Act, 1955, and violative of Articles 14,19(1)(g), 21 and 300A of the Constitution of India and Consequently, set aside the Notice No. 1/2024 dated 03.10.2024 issued by the Respondent No.3.

IA NO: 1 OF 2024

Petition under Section 151 of CPC is filed praying that in the circumstances stated in the affidavit filed in support of the petition, the High Court may be pleased to Stay all further proceedings in respect of Notice No. 1/2024 dated 03.10.2024, issued by the Respondent Nos.2 & 3, Pending disposal of WP 23119 of 2024, on the file of the High Court.

IA NO: 2 OF 2024

Petition under Section 151 of CPC is filed 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 interfere with the lawful business being undertaken by the Petitioner in the subject property situated in Sy.No.329/5A of Kapuluppada Ward No. 4, Zone-1, Bheemili, Visakhapatnam District or take any other coercive steps against the Petitioners, Pending disposal of WP 23119 of 2024, on the file of the High Court.

The petition coming on for hearing, upon perusing the Petition and the affidavit filed in support thereof and the earlier Order of the High Court dt.10.10.2024 made herein and upon hearing the arguments of Sri N Ashwani Kumar, Advocate for the Petitioners and of Government Pleader for the respondent Nos.1 to 3, the Court made the following

ORDER:

"For filing counter, at the request of the learned Assistant Government Pleader, list on 25.11.2024.

Print the names of the respondent counsels.

Interim order dated 10.10.2024 is extended till then."

Sd/- M. PRABHAKAR RAO

ASSISTANT REGISTRAR

//TRUE COPY//

For ASSISTANT REGISTRAR

To,

1. One CC to Sri N Ashwani Kumar, Advocate [OPUC]
2. Two CCs to GP for Municipal Administration and Urban Development, High Court of Andhra Pradesh. [OUT]
3. One CC to Sri J.Dilip Kumar, Standing Counsel [OPUC]
4. The Section Officers, Writ Non-Service and Posting Sections, High Court of Andhra Pradesh.
5. **One spare copy**

ER

HIGH COURT

BKM, J

DATED:04/11/2024

LIST ON 25.11.2024

ORDER

WP.No.23119 of 2024

INTERIM ORDER EXTENDED

