

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

FRIDAY, THE TWENTY EIGHTH DAY OF NOVEMBER

TWO THOUSAND AND TWENTY FIVE

:PRESENT:

THE HONOURABLE SRI JUSTICE GANNAMANENI RAMAKRISHNA
PRASAD

WRIT PETITION NO: 24031 OF 2024

Between:

ShaikGapoor, S/o Lai Saheb, Aged 57 years, R/o H.No.6-135,
Tadepalligudem Road, Koyyalagudem, West Godavari District.

Petitioner

AND

1. The State of Andhra Pradesh, through its Principal Secretary to Government, Department of Roads and Buildings, Secretariat, Velagapudi, Amaravati, Guntur District.
2. The Deputy Executive Engineer (R and B), R and B Sub-Division, Jangareddygudem, Eluru (erstwhile West Godavari) District.
3. Parimpudi Gram Panchayat, represented by its Secretary, Parimpudi, KoyyalagudemMandal, Eluru (erstwhile West Godavari) District.

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, order or direction more particularly one in the nature of WRIT OF MANDAMUS declaring the action of the respondents in issuing notice in R.C NO.46/2024 dated 16/10/2024 by the 3rd respondent directing the petitioner to remove the alleged encroachments within 15 days in respect of the shops and the structures existing in the property situated in an extent of Ac. 0.09 1/4 cents covered by Sy.No.325/1 of Parimpudi Village and Panchayat, KoyyalagudemMandal, Eluru (Erstwhile West Godavari) District, without considering the explanation dated 03/08/2024

submitted to the Show Cause Notice in R.C.No.33/2024 dated 18/07/2024 at least without even referring to the same, without conducting proper survey as per the orders of this Honourable Court in earlier writ petitions Number 23999/2021, 10239/2023 and 12792/2024 and in contemplating to demolish the structures which were constructed vide valid building permit B.L.R.No.1132209B91 dated 04/02/2019 sanctioned by the 3rd respondent, as illegal, arbitrary, malafide, against the principles of Natural Justice besides violation of Constitutional Guarantees and to consequently direct the respondents not to demolish nor interfere with the peaceful possession and enjoyment of the petitioner over the said property in any manner.

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 pass an interim direction against the respondents not to interfere with the possession and enjoyment of the petitioner in respect of the shops and the structures existing in the property situated in an extent of Ac. 0.09 1/4 cents covered by Sy.No.325/1 of Parimpudi Village and Panchayat, KoyyalagudemMandal, Eluru (Erstwhile West Godavari) District, in any manner including demolition and dispossession by suspending the Notice in R.C NO.46/2024 dated 16/10/2024 issued by the 3rd respondent, Pending disposal of WP 24031 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 order of the High Court dated:23.10.2024 made herein and upon hearing the arguments of Sri K JYOTHI PRASAD Advocate for the Petitioner and of GP FOR ROADS &BUILDINGS for the Respondent Nos.1 & 2 and of SRI Y.KOTESWAR RAO, Standing Counsel for the Respondent No.3, the Court made the following
ORDER:

Heard Ms. G. Mary Kumari, learned Counsel representing Ms. Kalla Tulasi Durgamba, learned Counsel for the Writ Petitioner in W.P.No.4454

of 2025, Sri K. Jyothi Prasad, learned Counsel for the Writ Petitioner in W.P.No.24031 of 2024, Sri Shaik Abdul Siddiq, learned Counsel representing Sri Y. Koteswara Rao, learned Standing Counsel for Respondent No.3 in both the matters.

2. Let Counter Affidavit be filed within three weeks. Two weeks thereafter for filing Rejoinder, if any.

3. List on 09.02.2026.

4. Interim Order granted earlier on 23.10.2024 in W.P.No.24031 of 2024 shall continue till the next listing.

//TRUE COPY//

SD/- K.J.RAJA BABU
ASSISTANT REGISTRAR
SECTION OFFICER

To,

1. One CC to SRI. K JYOTHI PRASAD Advocate [OPUC]
2. Two CCs to GP FOR ROADS& BUILDINGS, High Court of Andhra Pradesh. [OUT]
3. One CC to SRI Y.KOTESWAR RAO, Standing Counsel. [OPUC]
4. One spare copy

HIGH COURT

GRKP, J

DATED:28.11.2025

LIST ON 09.02.2026

ORDER

WP.No.24031 of 2024

INTERIM ORDER EXTENDED

