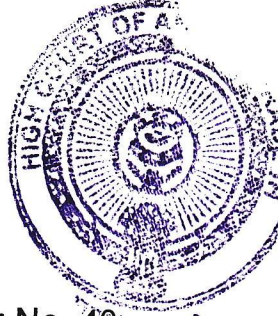


**IN THE HIGH COURT OF ANDHRA PRADESH AT AMARAVATI
(SPECIAL ORIGINAL JURISDICTION)**

**THURSDAY, THE NINTH DAY OF OCTOBER
TWO THOUSAND AND TWENTY FIVE**

:PRESENT:

**THE HONOURABLE SRI JUSTICE HARINATH.N
WRIT PETITION NO: 27714 OF 2025**



Between:

Nathani Sujatha, W/o Sreedhar, aged 40 years, House wife, R/o Door No. 40-9-10/7, Kammapalem, 4th lane, Ongole town-1, Prakasam District, A.P.

...Petitioner

AND

1. The State of Andhra Pradesh, Rep by Principal Secretary, Department of Municipal Administration and Urban Development (MA UD), Secretariat, Velagapudi, Amaravathi, Guntur District, Andhra Pradesh.
2. The Director of Town and Country Planning, Sri Krishna Enclave, 3rd Floor, 4th Lane Extension, West Annapurna Nagar, Gorantla, Guntur, Guntur District, Andhra Pradesh.
3. The Ongole Municipal Corporation, Rep by its Commissioner Ongole, Prakasam District, Andhra Pradesh.
4. The Surveyor, The Ongole Municipal Corporation, Ongole, Prakasam District. Andhra Pradesh.
5. Chenna Reddy Rambabu., S/o (Late) Venkata Subbaiah, Aged 34 years. Business, R/o Kammapalem, 4th lane, Ongole city, Prakasam District.
6. Pandi Balaji, S/o Srinivasulu, aged 45 years. Proprietor of PVR Bar Restaurant, R/o D. No. 122, Venkateswara Nagar, Kodanguyur, Chennai, Tamilnadu-600 118.
7. Vejendla Sri Rama Murthy, S/o Sambaiah, aged 45 years, R/o Kammapalem, 4th lane, Ongole town-1, Prakasam District, A.P

...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 a Writ, Order or direction, more particularly, one in the nature of WRIT OF MANDAMUS declaring the action of the Respondents 2 to 4 in allowing the illegal construction by the Respondents 5 6 in plot No.72 of petitioner in an extent of 1117 Sq. feet. In allowing the illegal construction by the Respondent No.7 in plot No.63 of petitioners property in an extent of about 375 Sq. feet both situated in Sy. No. 134/3 of Ongole rural Village Survey, Prakasam District, despite pending of litigation in C.C. No. 1102 of 2019 in W.P. No. 703 of 2019 before the Honble High Court of A.P., relating to same properties, without following procedure established by law, as illegal, arbitrary without jurisdiction and in violation of principles of natural justice and Articles 14, 21 and 300-A of the Constitution of India and consequently to direct the Respondents 2 to 4 not to allow the illegal construction by the Respondents 5, 6 7 and prevent the Respondents 5, 6 7 from encroaching the sites of petitioner and not to interfere with the peaceful possession and enjoyment of petitioner over the Writ schedule properties in plot Nos.72 63 and not to dispossess the petitioner from her site.

IA NO: 1 OF 2025

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 2 to 4 not to allow the illegal construction by the Respondents 5 6 in plot No.72 of the petitioner in an extent of 1117 Sq. feet and illegal construction by the Respondent No.7 in plot No.63 of the petitioner in an extent of 375 Sq. yards in Sy. No. 134/3 of Ongole rural Village Survey, Prakasam District, despite pending of litigation in C.C. No. 1102 of 2019 in W.P.No.703 of 2019 before the Hon'ble High Court of A.P., and not to interfere with the peaceful possession and enjoyment of the petitioner over the Writ schedule property and not to dispossess the petitioner from her site, Pending disposal of WP 27714 of 2025, on the file of the High Court.

The Petition coming on for hearing, upon perusing the Petition and the memorandum of grounds filed in support thereof and upon hearing the arguments of SRI SS RAMA KRISHNA PRASAD Advocate for the Petitioner, and of GP MUNICIPAL ADMN AND URBAN DEV, for the Respondent Nos.1, 2 & 4, and of SRI ASC BOSE, Standing Counsel for the Respondent No.3, the Court made the following

ORDER:

The learned counsel for the petitioner submits that the petitioner has acquired Plot No.72 by virtue of a family partition and that there is a dispute with regard to Plot No.73, and a contempt case was also filed after the 4th respondent found the encroachment by the 5th respondent.

It is submitted that, to escape from the contempt proceedings, the 5th respondent has executed a lease deed in favour of the 6th respondent. It is also submitted that, by virtue of the said lease, the 5th respondent is trying to erect the sheds without obtaining any permission from the 3rd respondent. It is submitted that even after some permission is granted, the said permission would have to be reconsidered as an extent of 1117 square feet belonging to the petitioner is being encroached by the 5th respondent.

The learned Standing Counsel appearing for the 3rd respondent requested time to ascertain the status of the construction.

The learned counsel for the petitioner is permitted to take out personal notice to respondent Nos.5 to 7 by registered post with acknowledgment due and file proof of service in the Registry.

Post the matter on 16.10.2025.

In the meanwhile, the respondents are directed to maintain status quo insofar as possession of the petitioner is concerned.

//TRUE COPY//

For /

SD/- K.SRINIVASA RAJU
ASSISTANT REGISTRAR

SECTION OFFICER

To,

1. The Principal Secretary, Department of Municipal Administration and Urban Development (MA UD), State of Andhra Pradesh, Secretariat, Velagapudi, Amaravathi, Guntur District, Andhra Pradesh. **(by Special Messenger)**
2. The Director of Town and Country Planning, Sri Krishna Enclave, 3rd Floor, 4th Lane Extension, West Annapurna Nagar, Gorantla, Guntur, Guntur District, Andhra Pradesh.
3. The Commissioner, Ongole Municipal Corporation, Ongole, Prakasam District, Andhra Pradesh.
4. The Surveyor, The Ongole Municipal Corporation, Ongole, Prakasam District. Andhra Pradesh.
5. Chenna Reddy Rambabu., S/o (Late) Venkata Subbaiah, Aged 34 years. Business, R/o Kammapalem, 4th lane, Ongole city, Prakasam District.
6. Pandi Balaji, S/o Srinivasulu, aged 45 years. Proprietor of PVR Bar Restaurant, R/o D. No. 122, Venkateswara Nagar, Kodanguyur, Chennai, Tamilnadu-600 118.
7. Vejendla Sri Rama Murthy, S/o Sambaiah, aged 45 years, R/o Kammapalem, 4th lane, Ongole town-1, Prakasam District, A.P
(Addressees 2 to 7 by RPAD)
8. One CC to SRI. SS RAMA KRISHNA PRASAD Advocate [OPUC]
9. Two CCs to GP MUNICIPAL ADMN AND URBAN DEV, High Court of Andhra Pradesh. [OUT]
10. One CC to SRI ASC BOSE, Standing Counsel [OPUC]
11. **One spare copy**

PSR

HIGH COURT

HN,J

DATED:09/10/2025

NOTE: Post the matter on 16.10.2025.

ORDER

WP.No.27714 of 2025

STATUS QUO

