



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

[3328]

WEDNESDAY, THE TWENTY EIGHTH DAY OF JANUARY
TWO THOUSAND AND TWENTY SIX

PRESENT

**THE HONOURABLE SRI JUSTICE GANNAMANENI RAMAKRISHNA
PRASAD**

WRIT PETITION NO: 29550 OF 2013

Between:

1. KALLA SATYANNARAYANA,, S/O. SIMHACHALAM, HINDU, AGED
ABOUT 50 YEARS, EMPLOYEE, R/AT.D.NO.45-35-39,
JAGANNADHAPURAM, AKKAYYAPALEM, VISAKHAPATNAM - 16.

...PETITIONER

AND

1. GREATER VISAKHAPATNAM MUNICIPAL CORPORATION, rep. by its
Commissioner, Visakhapatnam.

...RESPONDENT

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 any writ, order or direction particularly a writ in the nature of MANDAMUS directing the sole respondent not to interfere with the constructional activities of the building of the petitioner in the site to an extent of 111.42 Sq.mts covered by Town Sy.No. 49/1A situated at Akkayyapalem, Dondaparthi village, ward No. 32 comes under zone-IV, Visakhapatnam without following due process of law by declaring the action of the respondent as arbitrary, illegal and violative of articles 14, 21, 300-A of the Constitution of India

IA NO: 1 OF 2013(WPMP 36708 OF 2013)

Petition under Section 151 CPC praying that in the circumstances stated in the affidavit filed in support of the petition, the High Court may be pleased to

direct the respondent not to interfere with the constructional activities of the building of the petitioner in the site to an extent of 111.42 Sq,mts covered by Town Sy.No. 49/1A situated at Akkayya pa lem, Dondaparthi village, ward No. 32 comes under zone-IV, Visakhapatnam without following due process of law in the interest of justice

Counsel for the Petitioner:

1.B M PATRO

Counsel for the Respondent:

1.J DILEEP KUMAR

The Court made the following ORAL ORDER:

Even on second call none for the Writ Petitioner.

2. The present Writ Petition is filed seeking the following relief:

"For the reasons stated above and those that may be urged at the time of hearing, it is therefore prayed that this Hon'ble Court may be pleased to issue any writ, order or direction particularly a writ in the nature of MANDAMUS directing the sole respondent not to interfere with the constructional activities of the building of the petitioner in the site to an extent of 111.42 Sq.mts covered by Town Sy.No. 49/1A situated at Akkayyapalem, Dondaparthi village, ward No. 32 comes under zone-IV, Visakhapatnam without following due process of law by declaring the action of the respondent as arbitrary, illegal and violative of articles 14, 21, 300-A of the Constitution of India and pass such other relief or relieves, as this Hon'ble Court may deem fit, just and necessary in the circumstances of the case."

3. The docket would indicate that during the first hearing (admission hearing) on 11.10.2013, this Court passed the following interim Order:

"So long as the petitioner confines the constructions strictly in accordance with the approved building plan, the respondent-Corporation may not interfere. If, on the other hand, he is making departures from the approved building plan, the same will be dealt with in accordance with law by the respondents."

Sri S. Laxmi Narayana Reddy takes notice and seeks four weeks time to file counter.

Post after four weeks."

4. Thereafter, the matter was listed on three occasions. The above extract would indicate that this Court has already granted liberty to the Respondents to deal in accordance with law in case the Writ Petitioner departs or deviates from the approved building plan. It is noticed that on 21.10.2024 none appeared for the Writ Petitioner. Today also none appears for the Writ Petitioner.

5. For the above stated reasons, this Court is of the opinion that the cause does not survive. In any case, the Respondents are always at liberty to proceed in accordance with law if the Writ Petitioner has made any part of the construction in deviation of the approved plan or in violation of any statute or regulation.

6. With these observations, this Writ Petition is dismissed for non-prosecution. No order as to costs.

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

GANNAMANENI RAMAKRISHNA PRASAD, J

Dt: 28.01.2026

Mnr

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HON'BLE SRI JUSTICE GANNAMANENI RAMAKRISHNA PRASAD

WRIT PETITION NO: 29550 OF 2013

Dt: 28.01.2026

Mnr