



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

[3457]

**TUESDAY, THE NINTH DAY OF DECEMBER
TWO THOUSAND AND TWENTY FIVE**

PRESENT

THE HONOURABLE SRI JUSTICE HARINATH.N

WRIT PETITION NO: 33383/2025

Between:

1. JEENEPALLI ADISESHU, S/O. SATYAM, AGE 37 YEARS, OCC
BUSINESS, R/O. FLAT NO.504, 5TH FLOOR, NANDHANAVANAM
APARTMENT, JAYENDRA NAGAR, KAKINADA, EAST GODAVARI
DISTRICT, ANDHRA PRADESH-533003.

...PETITIONER

AND

1. THE STATE OF ANDHRA PRADESH, REP. BY ITS PRINCIPAL
SECRETARY, MUNICIPAL ADMINISTRATION AND URBAN
DEVELOPMENT DEPARTMENT, SECRETARIAT, VELAGAPUDI,
GUNTUR DISTRICT, ANDHRA PRADESH.

2. THE GREATER VISAKHAPATNAM MUNICIPAL CORPORATION,
REP. BY ITS COMMISSIONER, TENNETI BHAVAN, DASPALLA
HILLS, VISAKHAPATNAM, ANDHRA PRADESH-530003.

3. THE CITY PLANNER, GREATER VISAKHAPATNAM MUNICIPAL
CORPORATION TENNETI BHAVAN, DASPALLA HILLS,
VISAKHAPATNAM, ANDHRA PRADESH-530003.

4. THE ASSISTANT CITY PLANNER, GREATER VISAKHAPATNAM
MUNICIPAL CORPORATION, ZONE-LL, DOOR NO 8-151, ZONE-I
OFFICE, NEARZPHS SCHOOL, MADHURAWADA,
VISAKHAPATNAM, ANDHRA PRADESH-530048.

5. M/S SREE SAMPATH GANESH CONSTRUCTIONS, REP. BY ITS
MANAGING PARTNER MR. GUMMADAPU GANESH S/O. RAMA

CHANDRA RAO, AGE 57 YEARS, O/O.45-58-3/8, ANNAPURNA NILAYAM, NARASIMHA NAGAR, SALIGRAMPURAM POST, VISAKHAPATNAM, ANDHRA PRADESH-530024.

6.MR GUMMADAPU GANESH, S/O. RAMA CHANDRA RAO, AGE 57 YEARS, OCC. BUSINESS, O/O.45-58-3/8, ANNAPURNA NILAYAM, NARASIMHA NAGAR, SALIGRAMPURAM POST, VISAKHAPATNAM, ANDHRA PRADESH-530024.

7.MR VARADA SIVA KUMAR, S/O. HARINADH, AGE 51 YEARS, OCC PRIVATE EMPLOY, R/O. PLOT NO.47, GREEN AVENUES, NIZAMPET MAIN ROAD, KUKAT PALLY, HYDERABAD, TELANGANA-500072. PRESENTLY RESIDING AT 6, FIELDSTONE LN, NORTH BILLERICA, MA-01862-2174, UNITED STATES OF AMERICA.

8.AYODYALA KANAKA DURGA, W/O. KOTESWARA RAO, AGE 71 YEARS, OCC HOUSEWIFE, R/O. FLAT NO. 104, B-BLOCK, VERTEX SADGURU, NIZAMPET CROSS ROADS, HYDER NAGAR, MEDCHAL-MALKAJGIRI, TELANGANA-500090.

...RESPONDENT(S):

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 or order, orders or directions more particularly one in the nature of Writ of Mandamus - i) declaring the action of the 3rd respondent in according permission to the 5th/6th respondent vide Construction Approval Permission bearing No.B.A.No.1086/0082/B/Z2/BEM/2025, dt.29-04-2025 without properly looking into the content/survey numbers thereunder Registered Development Agreement No. 107409, dt.27-08-2024 on the file of Visakhapatnam Registrar Office entered into among 5th / 6th respondent, 7th and 8th respondents R/w. void abinitio, null and void registered document Nos.7389 of 1986 and also 7386 of 1986, dt.22-09-1986 on the file of Visakhapatnam Registrar Office and also registered document No.7390 of 1986, dt.22-09-1986 on the file of Visakhapatnam Registrar Office and also ii) the action of the 5th/6th respondent in going ahead with construction of all. residential apartment pursuant to Construction Approval Permission bearing NO.B.A.NO.1086/0082/B/Z2/BEM/2025, dt.29-04-2025 as illegal, arbitrary. discriminative, colorable exercise of powers, opposed to the doctrine of legitimate expectation besides violative of Arts. 14, 21 and 300-A of the Constitution of India and iii)consequently, set-aside the same besides

directing the 5th/6th respondent not to proceed with construction of residential apartment besides directing the official respondents to demolish the construction done so far by the 5th/6th respondent in petitioner's property admeasuring to an extent of Ac.0.12 cents (580 square yards) in Sy.No.75/1 of Bakkanapalem Village, Visakhapatnam Rural Mandal

IA NO: 1 OF 2025

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 suspend the operation of Construction Approval Permission bearing No.B.A.No.1086/0082/B/Z2/BEM/2025, dt.29-04- 2025 accorded by the 3rd respondent in favour of 5th /6th respondent

IA NO: 2 OF 2025

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 5th/6th respondent not to proceed with construction activities a residential apartment pursuant to the Construction Approval Permission bearing No.B.A.No.1086/0082/B/Z2/BEM/2025, dt.29-04- 2025 accorded by the 3rd respondent in favour of 5th respondent

Counsel for the Petitioner:

1.PEETA RAMAN

Counsel for the Respondent(S):

1.GP MUNICIPAL ADMN AND URBAN DEV AP

The Court made the following:

Order:

The learned counsel appearing for the petitioner seeks the permission of this Court to withdraw the present Writ Petition.

2. Permission is accorded.
3. Accordingly, this Writ Petition is dismissed as withdrawn. There shall be no order as to costs.

As a sequel, miscellaneous petitions pending, if any, shall stand closed.

Date: 09.12.2025
PNS/CMK

JUSTICE HARINATH.N