

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

THURSDAY, THE SIXTEENTH DAY OF OCTOBER
TWO THOUSAND AND TWENTY FIVE

:PRESENT:

HONOURABLE SRI DHIRAJ SINGH THAKUR, THE CHIEF JUSTICE
AND

THE HONOURABLE SRI JUSTICE R RAGHUNANDAN RAO
W.P(PIL) NO: 53 OF 2024 ALONG WITH WP.(PIL) No.110 OF 2018,
WP.NO.7028 OF 2019, WP(PIL).NOS.99,154,206 OF 2024,
WP.Nos.3074, 17965 & 23119 OF 2024 & 15239 OF 2025

W.P(PIL) NO: 53 OF 2024:

Between:

P.L.V.N.Murthy @ Murthy Yadav, S/o P. Sriramulu, Aged 46 years, R/o.
D.No.9-5-53/2/1, Peethalavanipalem, Visakhapatnam - 533017
plvnmurthyadav@gmail. com Cell.No.9848067850

.....Petitioner

AND

1. Union of India, Rep. by its Secretary, Ministry of Environment, Forest and Climate Change, Paryavaran Bhavan, New Delhi.
2. State of Andhra Pradesh, Rep. by its Chief Secretary, 1st Floor, Interim Government Complex, A.P. Secretariat, Velagapudi, Guntur,
3. State of Andhra Pradesh, Rep. by its Principal Secretary, Municipal Administration Department, A.P. Secretariat, Velagapudi, Guntur,
4. Visakhapatnam Metropolitan Regional Development Authority (VMRDA), Rep. By its Metropolitan Commissioner, Siripuram Junction, Visakhapatnam.
5. Andhra Pradesh State Coastal Zone Management Authority, Rep. By its Chairman, C/o Ministry of Environment, Forest, Science and Technology, Secretariat Buildings, Thullur Mandal, Guntur District.

6. Greater Visakhapatnam Municipal Corporation, Visakhapatnam, Rep by its commissioner.Tenneti Bahavan, Asilmetta, Visakhapatnam
7. The District Collector, Visakhapatnam District, Visakhapatnam. .
8. The Thasildar, Bheemunipatnam Mandal, Visakhapatnam District.
9. Penaka Neha Reddy, W/o Penaka Rohit Reddy, R/o. Flat No.425, Road No.18, Jubilee Hills, Hyderabad, Telangana.
10. M/s Avyaan Realtors LLP, Office at Hour No 46 Siddartha Nagar Hyderabad5300038 Telangana State Rep by its Partner Penaka Neha Reddy W/o Penaka Rohit Reddy R/o Flat No 425 Road No 18 Jubilee Hills Hyderabad Telangana

Respondent No.9 was incorporated as per C.O.dt.23.08.2024 in WP(PIL) No.53 of 2024

Respondent No 10 impleaded as per C.O. dt 26 03 2025 vide I A No 1 of 2025 in W P PIL No 53 of 2024

.....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 a writ or order or direction with more particularly in the nature of WRIT OF MANDAMUS declaring the inaction of the Respondent authorities in stopping illegal construction of permanent concrete structure within CRZ-1 area in Bheemunipatnam beach, situated in ward No.3 of Bheemunipatnam town Sy.Nos.1516, 1517, 1519 and 1523 of G.V.M.C limits, Visakhapatnam District, is illegal, arbitrary and unconstitutional and consequently direct the respondent authorities to remove the constructed structures and take necessary steps to restore natural habitat to its pristine glory, while initiating criminal action against the builders for ravaging sand dunes and CRZ area.

IA NO: 1 OF 2024

Petition under Section 151 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 Respondent authorities to stop all further

construction activities on Bheemunipatnam beach, situated in ward No.3, Bheemunipatnam town, Sy.Nos.1516,1517,1519 & 1523 of G.V.M.C limits, Visakhapatnam District, Pending disposal of WP(PIL) 53 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 order dated 23.08.2024, 18.09.2024, 05.02.2025, 05.03.2025, 18.06.2025 & 09.10.2025 made herein and upon hearing the arguments of Sri.Ponnada Sree Vyas, Advocate for the Petitioner and of Additional Solicitor General of India for Respondent No.1, GP for GAD for Respondent nos.2 & 5, GP for MA & UD for Respondent No.3, Sri.V.Surya Kiran Kumar, Standing Counsel for Respondent No.4, Sri A.S.C. Bose, Standing counsel for Respondent No.6, GP for Revenue for Respondent Nos. 7 & 8 and Sri Ponnagulu Satya Reddy, learned counsel representing Sri P.Subash, learned counsel for respondent No.9 & 10;

WP(PIL) NO: 110 OF 2018:

Between:

Visakhapatnam Town Fisher Women Dry Fish Cooperative Society Limited.,
Regd. No.A-44, Rep. by its Secretary Erinamma, w/oNookaraju, aged 50
years R/ a 0-1, ChepalaThimmapuram village, BheemunipatnamMandal,
Visakhapatnam District.

...Appellant

AND

1. Union of India, Represented by its Secretary, Ministry of Environmental and Forest Union of India, Paryavaran Bhavan, New Delhi
2. State of Andhra Pradesh, Rep. by its Principle Secretary, Department of Tourism and Culture Secretariat Building, Secretariat, Velagapudi, Guntur

3. State of Andhra Pradesh, Rep. by its Principle Secretary, Department of Environment, Forest Science and Technology, Secretariat, Velagapudi, Guntur
4. AP Coastal management Authority, Department of Environment, Forest Science and Technology, Government of AP Velagapudi, Guntur
5. AP Pollution Control Board, Represented by its Member Secretary, Vijayawada.
6. The District Collector, Visakhapatnam.
7. Greater Vishakhapatnam Municipal Corporation, GVMC, Visakhapatnam. Represented by its Commissioner
8. Vishakhapatnam Urban Development Authority, VUDA Represented by its Vice Chairman Visakhapatnam.
9. AP Tourism Development Authority, D.No.55-17-2 to 4, 5th Floor, Near C G O Complex, Industrial estate, Vijayawada, Andhra Pradesh, rep by its Chairman
10. AP Tourism Development corporation, D.No.55-17-2 to 4, 5th Floor, Near C G O Complex, Industrial estate, Vijayawada Andhra Pradesh Represented by its Managing Director
11. District Tourism Council, Vishakhapatnam Represented by its Manager Kurmannapalem, Visakhapatnam, Andhra Pradesh
12. D.V.L.N.Murthy, C/o Bay Watch, Restaurant, Near Totlakonda, Kapuluppada, Bheemunipatnam Mandal, Visakhapatnam 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 a Writ, Order, or Direction more particularly one in the nature of WRIT OF MANDAMUS declaring that the action of the respondent authorities in taking up/ permitting the construction of concrete structures in the name of Entertainment center and Hotel in sy no 314 P of Kapuluppada village, Bheemunipatnam Mandal, Vishakhapatnam district as illegal and unconstitutional and consequently direct the respondents to remove all the

structures and restore the sand area of beach to its pristine glory and set aside the bid document of R9 to R11 dtd 19-3-2018 by making it clear that such constructions are not permissible in beach area;

IA NO: 1 OF 2018:

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 Respondents 8 to 10 not to go ahead and finalise the bids pursuant to bid document 19-3-2018 in the name of entertainment center in sy no 314 of Kapuluppada village, Bheemunipatnam Mandal, Vishakhapatnam District, pending disposal of WP(PIL) 110 of 2018, on the file of the High Court.

IA NO: 2 OF 2018:

Petition under Section 151 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 permit any development activity including construction activities, levelling of sand dunes ,dumping foreign matter etc in the name of entertainment center in sy no 314 of Kapuluppada village, Bheemunipatnam Mandal, Vishakhapatnam District, pending disposal of WP(PIL) 110 of 2018, 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 order dated 01.05.2018 & 18.06.2025 made herein and upon hearing the arguments of Sri K.S.Murthy Associates for the Petitioners;

WP.(PIL) No.206 OF 2024

Between:

GRAMAABHIVRUDDI SEVASANGAM, Register Number 524/99,
Yeguvapeta, Bheemunipatanam, Represented by President Ganta
Nooka Raju.

Petitioner/s

AND

1. The Union of India, represented by its Secretary, Ministry of Environment, Forest, and Climate Change, Paryavaran Bhavan, New delhi.
2. The State of Andhra Pradesh, represented by the Chief Secretary, Andhra Pradesh Secretariat, Amaravati.
3. The State of Andhra Pradesh, Rep by its Principal secretary Municipal Administration Department, A.P Secretariat, Velagapudi Guntur.
4. Andhra Pradesh Coastal Zone Management Authority (APCZMA), represented by its Member Secretary, Science and Technology Secretariat, Buildings Thullur Mandal Guntur District.
5. The Environmental Officer, Andhra Pradesh Pollution Control Board (APPCB), Visakhapatnam.
6. The District Collector, Visakhapatnam District, Visakhapatnam.
7. Visakhapatnam Metropolitan Regional Development Authority VMRDA, Rep by its Metropolitan Commissioner Siripuram Junction, Visakhapatnam.
8. The Greater Visakhapatnam Municipal Corporation (GVMC), represented by its Commissioner.
9. The Revenue Divisional officer (R.D.O), Bheemunipatnam, Visakhapatnam district.
10. The Thasidhar, Bheemunipatnam Mandal, Visakhapatnam district.
11. The Police commissioner of Visakhapatnam, visakhapatnam city .
12. C.M.D (Chairman & Managing director), APEPDCL Visakhapatnam district.
13. The Bheemunipatnam zone Municipal Corporation, represented by its Zonal Commissioner. Visakhapatnam district.
14. Assistant City Planner (ACP), Bheemunipatnam zone Municipal Corporation, Visakhapatnam district.
15. 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. 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-530004.

16. Sea-horse Restro bar., Now Running as B-Zag, Rep by the Proprietor, Polavarapu Rama Mani, W/o Anand, age 48 years, R/o D.No.2-21/143, Flat No.5/1, Sriram Panorama Hills, Law college road, Yendada, Visakhapatnam-530045. Amatapu Srikanth Manikanta Sai Kumar, S/o Kanaka Rao, age 27 years, R/o SL 15/4, Panorama Hills, Law college road, Yendada, Visakhapatnam-530045.
17. Teeram Beach resort., Rep by the Proprietor, SOS junction, Bheemunipatnam, pin-531163, Visakhapatnam.
18. Sanctum bar and restaurant (previously named as Bay watch resort), Rep by the Proprietor, opposite thotlakonda, NTR beach road, Mangamaripeta, kapuluppada, Andhra Pradesh, pin 530048. email- sanctumbay@ gmail.com

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, order or 1.direction more particularly one in the nature of writ of mandamus

1. direct the respondents to take immediate action against the illegal constructions and businesses like Sea-horse Restro bar. Now Running as B-Zag, Viragoo neo age pub, Teeram Beach resort and Sanctum bar and restaurant (previously named as Bay watch resort,) operating in the Bheemunipatnam CRZ zone.
2. Cancel licenses or permissions (if any) granted in violation of CRZ regulations.
3. Direct the Respondents to conduct a thorough investigation and Identify and demolish into all illegal constructions and unauthorized businesses in the Bheemunipatnam CRZ area and to pass such

other order or orders as this Honourable Court may deem fit just and proper in the circumstances of the case.

4. Direct the Respondents to prepare a detailed action plan for restoring the coastal ecosystem damaged by illegal activities;

IA NO: 1 OF 2024:

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 grant an immediate stay on all activities (Pub, Bar, Restaurant) and business operations of Sea-horse Restro bar. Now Running as B-Zag, Viragoo neo age pub, Teeram Beach resort and Sanctum bar and restaurant (previously named as Bay watch resort) in the CRZ areas of Bheemunipatnam coastal zone, pending disposal of WP(PIL).No.206 of 2024, on the file of the High Court.

IA NO: 2 OF 2024:

Petition under Section 151 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 give Directions to the corresponding Respondents to disconnect the electricity connection, water connection, sanitation and etc. at immediate enforce, pending disposal of WP(PIL).No.206 of 2024, on the file of the High Court.

IA NO: 3 OF 2024:

Petition under Section 151 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 give Directions to the Respondents to fence off ecologically sensitive zones and prevent further encroachments, pending disposal of WP(PIL).No.206 of 2024, on the file of the High Court.

The Appeal coming on for hearing, upon perusing the Petition and the memorandum of grounds filed in support thereof and the earlier order of the High Court dated 08.01.2025, 05.03.2025 & 18.06.2025 made herein and upon hearing the arguments of M/s. N JOY, Advocate for the Petitioners, learned GP FOR GAD for the Respondent No.2, learned GP FOR

MUNICIPAL ADMINISTRATION AND URBAN DEVELOPMENT for the Respondent Nos.3 & 4, Sri Y. SOMA RAJU, Standing Counsel for the Respondent No.5, learned GP FOR REVENUE for the Respondent Nos.6, 9&10, Sri A.S.C. BOSE, Standing Counsel for the Respondent No.8;

WP NO: 3074 OF 2024 ✓

Between:

1. Polavarapu Rama Mani, W/o Anand, age 48 years, R/o. D.No.2-21/143, Flat No.5/1, Sriram Panorama Hills, Law college road, Yendada, Visakhapatnam-530045.
2. Amatapu Srikanth Manikanta Sai Kumar, S/o Kanaka Rao, age 27 years, R/o.SL 15/4, Panorama Hills, Law college road, Yendada, Visakhapatnam-530045.
3. Polavarapu Prudhvi, S/o Satyanandam, age 34 years, R/o. D.No. 14-3-6/3, Jahnvi Residency, Nouroji Road, Near Jagadamba, Visakhapatnam.
4. Kalingal Velayandan, S/o. (Late) K.V.Govind, aged 55 years, R/o. D.No. 108, Near Santhoshima Temple, Santhoshima Nagar, Hyderabad-56

...Petitioners

AND

1. The Zonal Commissioner, Bheemunipatnam zone, Bheemunipatnam, Visakhapatnam District.
2. The GVMC, rep by its Commissioner, Visakhapatnam, Visakhapatnam.
3. The State of Andhra Pradesh, Rep. by its Principal Secretary, Municipal Administration, Department, Secretariat Building, Velagapudi, Amaravathi, Guntur District.

...Respondents

Petition under Article 226 of the Constitution of India praying that in the Hon'ble Court 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 attempting to forcible demolish the structures made in out land in an extent

of 1369 sq.Yds covered by S.No.39/5C of Nerellavalasa village, Bheemunipatnam Mandal, Visakhapatnam district known as 'Sea Horse Restro Bar' without issuing any notice, without giving us an opportunity of being heard and without passing or tendering any order to that effect as illegal, arbitrary, unjust and against the Constitutional guarantees an in violation of the principles of natural justice and to consequently direct the respondents not to interfere with out possession and enjoyment of the said property in any manner what so ever excepting under due process of law;

IA No. 1 OF 2024:

Petition under Section 151 CPC is filed praying that in the circumstances stated in the affidavit filed in support of the writ petition, the High Court may be pleased to pass an interim order against the respondents directing them not to demolish or in any way interfere with our possession and enjoyment of our property with structures thereon known as 'Sea Horse Restro Bar' in an extent of 1369 Sq.Yds in Sy.No.39/5C of Nerellavalasa village, situated in GVMC Limits, Bheemunipatnam zone and Mandal, Visakhapatnam District, pending disposal of WP No.3074 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 order dated 05.02.2024, 19.02.2024, 18.03.2024 & 18.06.2025 made herein and upon hearing the arguments of Sri K.Sarva Bhouma Rao, Advocate for the Petitioners and Sri A.S.C. BOSE, Standing Counsel for the Respondent Nos.1 & 2 and GP for Municipal Administration & Urban Development for the Respondent No.3;

WP NO: 17965 OF 2024:

Between:

Bodana Madhusudan Rao, S/o Boddana Simhadri, aged 38 years, R/o 50-50-38/6 TRT Colony, Seethammadhara, Visakhapatnam.

...Petitioner

AND

1. The Greater Visakhapatnam Municipal Corporation, Represented by its Commissioner Visakhapatnam.
2. The Zonal Commissioner No.1 Bheemunipatnam, Visakhapatnam District.
3. The state of Andhra Pradesh, Represented by its Principal Secretary Municipality and Urban Administration Velagapudi, Amaravati, Guntur District.
4. The Tahsildar, Bheemunipatnam Visakhapatnam 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 threatening and attempting to destroy and demolish the purely temporary structures and gaming facilities we made in an extent of 419.6 sq. yd covered by survey No.42/1E of Nerellavalasa, Hamlet of Nidigattu Gram Panchayat, Bheemunipatnam Mandal, Visakhapatnam District without issuing any notice and without giving us an opportunity of being heard and without following any due process of law as illegal, arbitrary, malafide and against the principles of natural justice and to consequently direct the respondents not to interfere with our possession and enjoyment of the said property along with its gaming facilities etc., made in within any manner whatsoever, excepting under due process of law;

IA NO: 1 OF 2024

Petition under Section 151 CPC is filed praying that in the circumstances stated in the affidavit filed in support of the writ petition, the High Court may be pleased To pass an interim direction against the respondents not to destroy, demolish or interfere with our possession and enjoyment of the property along with its gaming facilities etc., in an extent of 419.6 sq. yd covered by survey No.42/1E of Nerellavalasa, Hamlet of

Nidigattu Gram Panchayat, Bheemunipatnam Mandal, Visakhapatnam District during the pendency of the Writ Petition, pending disposal of WP.No.17965 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 High Court order dated 18.06.2025 made herinv and upon hearing the arguments of Sri K.Sarva Bhouma Rao, Advocate for the Petitioner and Sri A.S.C.BOSE (SC for GVMC) for the Respondents 1 & 2; GP FOR Municipality and Urban Administration for the Respondent No.3; GP for Revenue for the Respondent No.4.

WP 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, Bheemili, 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 and 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, Vishakhapatna

....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 CPC is filed praying that in the circumstances stated in the affidavit filed in support of the writ 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.No.23119 of 2024, on the file of the High Court.

IA NO: 2 OF 2024:

Petition under Section 151 CPC is filed praying that in the circumstances stated in the affidavit filed in support of the writ 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.No.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 order of the High Court order dt.10.10.2024, 04.11.2024, 05.12.2024, 26.12.2024, 23.01.2025, 31.01.2025, 14.02.2025 & 18.06.2025 made herein and upon hearing the arguments of Sri N Ashwani Kumar, Advocate for the Petitioners and of GP for Municipal

Administration and Urban Development for the Respondent No.1; Sri A.S.C. Bose, Standing Counsel for the respondent Nos.2 & 3.

WRIT PETITION NO: 7028 OF 2019:

Between:

D & D Enterprises, a registered Partnership Firm, Sy.No.116/16D, Yendada Village, Opp: Senora Beach Resorts, Bay Front Horse Club, Musalayyapalem, Visakhapatnam, Rep. by its Managing Partner, L.Dilip Chakravarthy.

Petitioner

AND

1. The State of Andhra Pradesh, Rep. by its Principal Secretary, Municipal Administration and Urban Development Department, Secretariat, Velagapudi, Amaravathi, Guntur District
2. Greater Visakhapatnam Municipal Corporation, Visakhapatnam, Rep. by its Commissioner

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 a writ, order or direction more particularly one in the nature of mandamus, declaring the action of the 2nd respondent in interfering with the petitioner's peaceful possession and enjoyment of premises bearing D.No.1-2/1/1, Jodugullapalem (Musalayyapalem), Yendada Village, Visakhapatnam Rural Mandal, Visakhapatnam District, as illegal, arbitrary, without jurisdiction, in violation of the principles of natural justice and contrary to the safeguards provided for by virtue Articles 14, 19(1)(g) and 300-A of the

Constitution of India and consequently direct the 2nd respondent to refrain from doing so and pass

IA NO: 1 OF 2019

Petition under Section 151 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 2nd respondent not to interfere in any manner, whatsoever, with the petitioner's peaceful possession and enjoyment of premises bearing D.No.1-2/1/1, Jodugullapalem (Musalayyapalem), Yendada Village, Visakhapatnam Rural Mandal, Visakhapatnam District, Pending disposal of WP.7028 of 2019, 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 High Court order dated 18.06.2025 made herein and upon hearing the arguments of Sri V SURYA KIRAN KUMAR Advocate for the Petitioner, GP FOR MUNICIPAL ADMN URBAN DEV for the Respondent No.1; Sri A.S.C. Bose, Standing Counsel for the Respondent No.2.

WRIT PETITION(PIL) NO.99 OF 2024

Between:

Yalamanchili Rajesh, S/o Chinna Rao, R/o D.No C-66, Yalamanchili Doddi, T. Devada Post, PedagantyadaMandal, Visakhapatnam - 530031.

Petitioner

AND

1. Union of India (MoEFCC), Indira Paryavaran Bhawan, Jorbagh Road, New Delhi - 110 003.

2. The State of Andhra Pradesh, Rep. by its Principal Secretaiy, Revenue Department, Secretariat Buildings, Velagapudi, Amaravati, Guntur-522503.
3. APCZMA, Rep. by its Chairman, D.No.33-26-14 D/2, Near Sunrise Hospital, Chalamavari Street, Kasturibaipet, Vijayawada-520010.
4. Directorate of Town & Country Planning, Rep. by its Director, MGM Capital, Ground Floor, Near NRI Hospital NH Flyover, Chinakakani, Mangalagiri, Andhra Pradesh- 522508.
5. GVMC, Rep. by its Commissioner, S Jail Rd, Dwaraka Nagar, Visakhapatnam, Andhra Pradesh- 530004.
6. D Cabanna Family Restaurant, Rep. by its Owner, L. Dilip Chakravarthy, Musalaya Palem Gramam, Musalayya Palem, Visakhapatnam, Andhra Pradesh- 530045

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 Mandamus to order respondent No. 5 to seize and demolish the building of Respondent 6 and to order Respondent No. 1 & 2 to initiate an inquiry against Respondent No. 3 and 5 for not taking action against Respondent No. 6 for constructing a building and running business without getting approval and for violating the CRZ rules over 10 years.

IA NO: 2 OF 2024

Petition under Section 151 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 issue direction, to keep in abeyance the Order, dt.31.07.2024 passed in W.P. (PIL) No.99 of 2024, till the said W.P (PIL) No.99 of 2024 is

heard, in the interest of justice, Pending disposal of WP(PIL) 99 of 2024, on the file of the High Court.

IA NO: 1 OF 2024

Petition under Section 151 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 grant an order of preliminary injunction to restrain the business of Respondent No. 6 until the case is decided by this Hon'ble Court on its merits, Pending disposal of WP(PIL) 99 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 High Court order dated 18.06.2025 made herein and upon hearing the arguments of M/s. LALAM SYAMANTHA Advocate for the Petitioner, Deputy Solicitor General of India for the Respondent No.1; GP for Revenue for the Respondent No.2; Sri A.S.C. Bose, Standing Counsel for the Respondent No.5; Sri VADREVU S K KRISHNA KANTH, Advocate for the Respondent No.6 .

WP(PIL) NO: 154 OF 2024:

Between:

T. Shankar Rao, S/o T. Paidaiiah, aged 49 years, R/o D.No. 5-4-142, Peddajalarapeta, L.B. Colony, Visakhapatnam.

Petitioners

AND

1. Union of India, Rep. by its secretary, Ministry of Environment, Forest and Climate Change, Paryavaram Bhavan, New Delhi.
2. State of Andhra Pradesh, Rep. by its chief Secretary, 1st Floor, Interim Government Complex, A.P. Secretariat, Velagapudi, Guntur,

3. State of Andhra Pradesh, Rep. by its Principal secretary, Municipal Administration Department, A.P. Secretariat, Velagapudi, Guntur,
 4. Visakhapatnam Metropolitan Regional Development Authority (VMRDA), Rep. By its Metropolitan Commissioner, Siripuram Junction, Visakhapatnam.
 5. Andhra Pradesh State Coastal Zone Management Authority, Rep. By its Chairman, C/o Ministry of Environment, Forest, Science and Technology, Secretariat Buildings, Thullur Mandal, Guntur District.
 6. Greater Visakhapatnam Municipal Corporation, Visakhapatnam, Rep by its commissioner, Tenneti Bahavan, Asilmetta, Visakhapatnam.
 7. The District Collector, Visakhapatnam District, Visakhapatnam.
 8. The Thasildhar, Chinnagadali Mandal, Visakhapatnam District
 9. The Director of Mines and Geology, Government of Andhra Pradesh, Vikas Nagar, Guntur, Guntur District.
 10. The Assistant Director of Mines and Geology, Government of Andhra Pradesh, Visakhapatnam.
 11. District Forest officer, Visakhapatnam District. Beach Road, Visakhapatnam.
 12. Yalamarathi Sai Kamalesh, S/o Guthaji, Plot no. B4,912, Skyline Apartments, Yendada, Vishakapatnam-530045.
 13. Shaik Ameera Begum, W/o Shaik Abid, H.No. 31-31-9, Flat No. 402 Sai Baba Street daba gardens, Vishakapatnam (Urban), Vishakapatnam - 530020.
 14. Inturi Sravani, 3rd Floor, Banker's nest, Kommadhi, Opp. to Gayatri Women's college - 530048.
 15. Pakalapati Venkata Naga Narasimha Raju, S/o. Pakalapati Durga Prasada Raju, M.I.G-3, 7F,6-81-65, Auto Nagar, D-Block Extension, Visweswaraya Nagar, B.H.P.V Post, Gajuwaka, Vishakapatnam.
- Respondents no.12 to 15 are impleaded as per c.o.dt.27.11.2024 vide I.A.No.2 of 2024 in WP(PIL).No.154 of 2024.**

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 or direction with more particularly in the nature of WRIT OF MANDAMUS declaring the action of the Respondent Authorities in not initiating any action against Commercial Shops constructed, and functioning in Ward No.8 of Rushikonda Hill area adjacent coastal Road connecting of Vishakapatnam to Bhimunipatnam within CRZ is illegal, arbitrary and unconstitutional and direct the respondent authorities to remove the constructions take up plantation of trees as compensatory afforestation to restore the natural habitat while initiating proceedings against the violators of environmental law and to continue to protect/preserve the CRZ area;

IA NO: 1 OF 2024

Petition under Section 151 CPC is filed praying that in the circumstances stated in the grounds filed in support of the petition, the High Court may be pleased to direct the Respondent authorities specifically Respondent No.6 to initiate immediate action on Representation dated 01/08/2024 for removal construction/structures made in violation of CRZ regulations and environmental Act without having any requisite permissions while sealing the establishments, pending disposal of WP(PIL) No. 154 of 2024, on the file of the High Court.

The petition coming on for hearing, upon perusing the Writ Petition and the affidavit filed in support thereof and the earlier Order of the High Court dated 27.11.2024 & 12.03.2025 made herein and upon hearing the arguments of Sri Ponnada Sree Vyas, Advocate for the Petitioner, SRI PASALA PONNARAO, Deputy Solicitor General of India for Respondent No.1, GP FOR GAD for the Respondent No.2, learned GP FOR MUNICIPAL ADMINISTRATION AND URBAN DEVELOPMENT for the Respondent No.3 and 6, Sri V. SURYA KIRAN KUMAR, Standing Counsel for the Respondent No.4, learned GP FOR FOREST for respondent Nos.5 &11, learned GP FOR

REVENUE for the Respondent Nos.7&8, learned GP FOR MINES & GEOLOGY for the Respondent Nos.9 &10.

WP.NO.15239 OF 2025:

Between:

1. K. Kasi Visweswara Rao, S/o K.Rama Krishna, Aged 42 years, occ-Business, R/o D.No. 9-525, SC, ST Colony, Visalakshi Nagar, Visakhapatnam.
2. K. Janardhana Rao, S/o K.Rama Krishna, Aged 40 years, occ-Business, R/o D.No. 9-525, SC, ST Colony, Visalakshi Nagar, Visakhapatnam

...Petitioners

AND

1. The State of Andhra Pradesh, rep by Its Principal Secretary (Municipal Administration), Secretariate, Velagapudi, Guntur District.
2. The Greater Visakhapatnam Municipal Corporation, Rep by its Commissioner, Visakhapatnam.
3. The Andhra Pradesh Costal Zone - Management Authority (APCZMA), Ministry of Environment Forests and Climate Change D.N. 33-26-14, D/2, Chalamavari Street, Kasturibaipet, Vijayawada.

...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 pass an order or direction or writ in the nature of Mandamus duly declaring the impugned notice cum final order vide Rc. No. 008038/2024/ACP-II/G1 dated 19.06.2025, invoking sections 452(2) and 461(4) of Andhra Pradesh Municipal Corporation Act, 1955, issued by the 2nd respondent as illegal, arbitrary and against the principles of natural justice as well as against the rights conferred under Article 300(A) of the Constitution of India and consequently strike down the same in there interest of justice.

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 stay all further proceedings in regard to the impugned order of the 2nd respondent herein vide Rc No.008038/2024/ACP-II/G1, dated 19.06.2025, invoking sections 452(2) & 461(4) of Andhra Pradesh Municipal Corporation Act, 1955, in there interest of justice, Pending disposal of WP 15239 of 2025, 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 High Court order dated 25.06.2025 made herein and upon hearing the arguments of SRI P RAMA SHARANA SHARMA Advocate for the Petitioner, and of GP MUNICIPAL ADMN AND URBAN DEV, for the Respondent No.1, and of SRI ASC BOSE, Standing Counsel for the Respondent No.2, and of GP FOR FORESTS, for the Respondent No.3, the Court made the following

ORDER:

“Mr. A. Satya Prasad, learned Senior Counsel appearing for respondent Nos.9 & 10 in WP(PIL).No.53 of 2024 had placed on record proof of deposit of Rs.48,21,786/- in terms of our previous order.

Learned Senior Counsel seeks time to file objections to the report of the committee constituted in terms of our directions, dated 05.02.2025.

Greater Visakhapatnam Municipal Corporation is directed to ensure that the offensive construction be removed in its entirety now that the amount has since been deposited by respondent Nos.9 & 10 in WP(PIL).No.53 of 2024.

List on 06.11.2025.”

SD/- U. SRIDEVI

DEPUTY REGISTRAR

//TRUE COPY//

For ASSISTANT REGISTRAR

To,

1. The Commissioner, Greater Visakhapatnam Municipal Corporation,
Visakhapatnam, Tenneti Bahavan, Asilmetta, Visakhapatnam.
2. One CC to Sri A.S.C. Bose, Standing Counsel for GVMC [OPUC]
3. **Two spare copies**

HIGH COURT

HC,J

&

RRR,J

DATED: 16/10/2025

LIST ON 06.11.2025

ORDER

W.P(PIL) NO: 53 OF 2024 ALONG WITH WP.(PIL) No.110 OF 2018,
WP.NO.7028 OF 2019, WP(PIL).NOS.99,154,206 OF 2024,
WP.Nos.3074, 17965 & 23119 OF 2024 & 15239 OF 2025

DIRECTION



HIGH COURT