

[3483]

(SHOW CAUSE NOTICE BEFORE ADMISSION)
IN THE HIGH COURT OF ANDHRA PRADESH AT AMARAVATI
(SPECIAL ORIGINAL JURISDICTION)

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

:PRESENT:

HONOURABLE SRI DHIRAJ SINGH THAKUR THE CHIEF JUSTICE
AND

THE HONOURABLE SRI JUSTICE RAVI CHEEMALAPATI

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

WHEREAS the Petitioners above named through their Advocate M/s.N. JOY, presented this 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 deems 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 and to pass such other orders as are necessary in the interest of Justice;

AND WHEREAS the High Court upon perusing the petition and affidavit filed 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 directed issue of notice to the Respondents herein to show cause as to why this WP(PIL) should not be admitted.

You viz:

1. The Secretary, Union of India, Ministry of Environment, Forest, and Climate Change, Paryavaran Bhavan, New delhi.
2. The Chief Secretary, Andhra Pradesh Secretariat, Amaravati, State of Andhra Pradesh
3. The Principal secretary Municipal Administration Department, A.P Secretariat, Velagapudi Guntur, State of Andhra Pradesh.
4. The Member Secretary, Andhra Pradesh Coastal Zone Management Authority (APCZMA), 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. The Metropolitan Commissioner, Visakhapatnam Metropolitan Regional Development Authority VMRDA, Siripuram Junction, Visakhapatnam.
8. The Commissioner, Greater Visakhapatnam Municipal Corporation (GVMC).
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 Zonal Commissioner, Bheemunipatnam zone Municipal Corporation, Visakhapatnam district.
14. Assistant City Planner (ACP), Bheemunipatnam zone Municipal Corporation, Visakhapatnam district.

15. The Proprietor, M/s Viragoo Restro Bar, 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. The Proprietor, Sea-horse Restro bar., Now Running as B-Zag, 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. The Proprietor, Teeram Beach resort., SOS junction, Bheemunipatnam, pin-531163, Visakhapatnam.
18. The Proprietor, Sanctum bar and restaurant (previously named as Bay watch resort), opposite thotlakonda, NTR beach road,Mangamaripeta, kapuluppada, Andhra Pradesh,pin 530048.email- sanctumbay@ gmail.com

are be and hereby directed to show cause either appearing in person or through an Advocate, as to why in the circumstances set out in the petition and the affidavit filed therewith (copy enclosed) this WP(PIL) should not be admitted, on or before 29.01.2025, on which date the case stands posted for hearing.

The Court made the following ORDER:

“Notice.

Service is waived by learned Government Pleader for the General Administration Department on behalf of respondent No.2, learned Government Pleader for M.A & U.D Department on behalf of respondent Nos.3 & 4, Mr. Y. Somaraju, learned Standing Counsel, on behalf of respondent No.5, learned Government Pleader for the Revenue

Department on behalf of respondent Nos.6, 9 & 10, Mr. A.S.C. Bose,
learned Standing Counsel, on behalf of respondent No.8.

Response be filed.

Service of personal notice on respondent Nos.15 to 18 is
permitted.

List on 29.01.2025 along with WP(PIL).No.53 of 2024.”

Sd/- K. SRINIVASA RAJU
ASSISTANT REGISTRAR

//TRUE COPY//

For ASSISTANT REGISTRAR

To,

1. The Proprietor, M/s Viragoo Restro Bar, 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.
2. The Proprietor, Sea-horse Restro bar., Now Running as B-Zag, 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.
3. The Proprietor, Teeram Beach resort., SOS junction, Bheemunipatnam, pin-531163, Visakhapatnam.
4. The Proprietor, Sanctum bar and restaurant (previously named as Bay watch resort), opposite thotlakonda, NTR beach road, Mangamaripeta, kapuluppada, Andhra Pradesh, pin 530048. email-sanctumbay@gmail.com (Addressee Nos.1 to 4 by SPEED POST- along with a copy of petition and affidavit)
5. One CC to SRI. N JOY Advocate [OPUC]

6. Two CCs to GP FOR GAD, High Court of Andhra Pradesh. [OUT]
7. Two CCs to GP FOR MUNICIPAL ADMINISTRATION AND URBAN DEVELOPMENT, High Court of Andhra Pradesh. [OUT]
8. One CC to SRI Y. SOMA RAJU, STANDING COUNSEL [OPUC]
9. Two CCs to GP FOR REVENUE, High Court of Andhra Pradesh. [OUT]
10. One CC to Sri A.S.C. BOSE, STANDING COUNSEL [OPUC]
11. One CC to Sri PASALA PONNA RAO, DEPUTY SOLICITOR GENERAL [OPUC]
12. Two spare copies

KJ

HIGH COURT

**HC,J&
RCJ**

DATED:08/01/2025

LIST ON 29.01.2025 ALONG WITH WP(PIL).NO.53 OF 2024

NOTICE BEFORE ADMISSION

WP(PIL).No.206 of 2024

