

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

**MONDAY, THE EIGHTEENTH DAY OF MARCH
TWO THOUSAND AND TWENTY FOUR**



**PRESENT
THE HONOURABLE SRI JUSTICE SUBBA REDDY SATTI**

WRIT PETITION NO: 36662 OF 2018

Between:

Sri Veluri Venkateswara Rao, S/o Suryanarayana Murthy, Door No. 12-8-18, 17th Ward, Near Somagundam Tank, Gunupudi, Bhimavaram Municipality, Bhimavaram, West Godavari Dist.

...Petitioner

AND

1. The State of Andhra Pradesh, Rep. by Principal Secretary Municipal Administration Secretariat, Velagapudi, Vijayawada Krishna District, Andhra Pradesh.
2. Director of Town and Country Planning, Velagapudi, Vijayawada, Krishna District, Andhra Pradesh.
3. The Commissioner, Bhimavaram Municipality, Bhimavaram, West Godavari Dist,
4. Smt. Veluri Vijayasri, W/o Sri Velluri Subrahmanya Sarma Aged 56 years Occ. Housewife R/o D.No. 12-3-23/1, Ayyagari Vail Street, Near Someswara Swamy Temple, Gunupudi, Bhimavaram -534201 West Godavari Dist. A.P.
5. Sri Veluri Surya Kameswara Sandeep, S/o Sri Velluri Subrahmanya Sarma Aged 26 years Occ. Private Employment, R/o D.No. 12-3-23/1, Ayyagari Vari Street, Near Someswara Swamy Temple, Gunupudi, Bhimavaram - 534201 West Godavari Dist. 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 a Writ of Mandamus, declaring the actions of Respondents 2 and

3 in not taking action for removal of the illegal constructions made by the Respondents 4 and 5 at their site at Door No. 12-8-18 in R.S No.329/1A1A, Ward No.17, Near Somagundam, Gunipudi, Bhimavaram, West Godavari District, Andhra Pradesh as illegal, violation of the provisions of A.P. Municipalities Act, 1965, the Bye-laws and A P Buildings Rules and consequently direct Respondents 2 and 3 to take action for removal of the constructions made by the Respondents 4 and 5 in contravention of Building Permit Orders dated 09.02.2018, the provisions of A.P. Municipalities Act, 1965, the Bye-laws and A P Buildings Rules.

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 4 and 5 to stop further construction of the building at their site at Door No. 12-8-18 in R.S No.329/1A1A, Ward No. 17. Near Somagundam, Gunipudi, Bhimavaram, West Godavari District, Andhra Pradesh, pending disposal of the above Writ petition.

Counsel for the Petitioner: SRI A K KISHORE REDDY

Counsel for the Respondents: GP MUNICIPAL ADMN & URBAN DEV

**Counsel for the Respondents: SRI M.MANO HAR REDDY,
SC for MUNICIPALITIES**

Counsel for the Caveat Petitioner: SRI P.S.P.SURESH KUMAR

The Court made the following order:

IN THE HIGH COURT OF ANDHRA PRADESH AMARAVATI

THE HON'BLE SRI JUSTICE SUBBA REDDY SATTI

WRIT PETITION No.36662 of 2018

Veluri Venkateswara Rao, S/o Suryanarayana
Murthy, Door No.12-8-18, 17th Ward, Near
Somagundam Tank, Gunupudi, Bhimavaram
Municipality, Bhimavaram, West Godavari District.

... Petitioner

Versus

The State of Andhra Pradesh, Rep. by Principal
Secretary Municipal Administration, Secretariat,
Velagapudi, Vijayawada, Krishna District, Andhra
Pradesh and four others.

... Respondents

Counsel for the petitioner : Sri A.K. Kishore Reddy

Counsel for respondents : GP for Municipal Administration
and Urban Development and Sri
M. Manohar Reddy, standing
counsel

ORDER

This writ petition is filed to declare the action of the
respondent Nos.2 and 3 in not taking steps for removal of the
illegal constructions made by the Respondent Nos.4 and 5 at
their site bearing D.No.12-8-18 in R.S.No.329/1A1A, Ward
No.17, Near Somagundam, Gunipudi, Bhimavaram, West
Godavari District, Andhra Pradesh, as illegal and arbitrary.

2. Counter and additional counter affidavit were filed on behalf of respondent Nos.4 and 5. In the additional counter, it was contended that the violations made by respondent Nos.4 and 5 were regularised vide proceedings No.BPS2019/DHI/12/39022 dated 12.06.2023, under BPS scheme and in fact, challenging the regularization proceedings, petitioner filed W.P.No.19759 of 2023.

3. In view of the above submissions and subsequent developments pending the writ petition, no further orders are required in this writ petition.

4. Hence, the writ petition is closed. No costs.

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

//TRUE COPY//

Sd/- K. TATA RAO
DEPUTY REGISTRAR

SECTION OFFICER

To,

1. One CC to Sri A K Kishore Reddy, Advocate [OPUC]
2. One CC to Sri P.S.P.Suresh Kumar, Advocate [OPUC]
3. One CC to Sri M.Manohar Reddy, SC for Municipalities [OPUC]
4. Two CCs to GP for Municipal Administration & Urban Development, High Court of Andhra Pradesh. [OUT]
5. Two CD Copies

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HIGH COURT

DATED:18/03/2024

ORDER

WP.No.36662 of 2018

Scopes
IP
19/4/24

**CLOSING OF THE WP
WITHOUT COSTS**

