

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

**FRIDAY, THE FOURTEENTH DAY OF FEBRUARY
TWO THOUSAND AND TWENTY FIVE**



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

**IA NO: 2 OF 2024
IN
WRIT PETITION NO: 36662 OF 2018**

IA NO: 2 OF 2024

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

IA NO: 3 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 receive the copies if the Affidavit, Counter and Status Quo made in I.A.No. 1216 of 2018 in O.S.No. 218 of 2018 and also in I.A.No.1217 of 2018 in O.S.No. 219 of 2018.

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 Respondent No.1: GP FOR MUNICIPAL ADMN &
URBAN DEVELOPMENT**

**Counsel for the Respondents 2 & 3: SRI M.MANO HAR REDDY
SC for MUNICIPALITIES**

Counsel for the Respondent No.5: SRI P S P SURESH KUMAR

The Court made the following order:

This application is filed to list the matter under the caption 'for being mentioned'.

Heard learned counsel appearing on either side.

By order dated 18.03.2024, this Court closed the W.P.No.36662 of 2018, based on the averments made in the counter affidavit that the petitioner filed another writ petition i.e. W.P.No.19759 of 2023, against the proceedings of regularization.

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 registry to post the above Writ Petition under the Caption of " For being Mentioned" praying this Hon'ble Court.

WRIT PETITION NO: 36662 OF 2018

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. 12-8-1'8 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 2023

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 receive the copies of the photographs and the copies of the plaint and the copy of the withdrawal orders of the suits.

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 dispense with the filing of the Certified Copy of the order dated 18-03-2024 in WP no. 36662 of 2018.

Learned counsel for the petitioner would submit that BPS scheme has no application to the facts. He also would submit that he was not present on that day. He also would submit that W.P.No.19759 of 2023 is still pending consideration.

Given the facts and circumstances of the case, the order dated 18.03.2024 in W.P.No.36662 of 2018, is recalled and writ petition is restored.

The Registry is directed to restore the W.P.No.36662 of 2018 and list along with W.P.No.19759 of 2023.

//TRUE COPY//

Sd/-N.NAGAMMA
ASSISTANT REGISTRAR

SECTION OFFICER

To,

1. The Principal Secretary Municipal Administration, State of Andhra Pradesh, Secretariat, Velagapudi, Vijayawada Krishna District, Andhra Pradesh.
2. The Director of Town and Country Planning, Velagapudi, Vijayawada, Krishna District, Andhra Pradesh.
3. The Commissioner, Bhimavaram Municipality, Bhimavaram, West Godavari Dist,
4. One CC to Sri A K Kishore Reddy, Advocate [OPUC]
5. One CC to Sri P S P Suresh Kumar, Advocate [OPUC]
6. One CC to Sri M. Manohar Reddy, SC for Municipalities [OPUC]
7. Two CCs to GP for Municipal Administration & Urban Development, High Court of Andhra Pradesh. [OUT]
8. Two CD Copies

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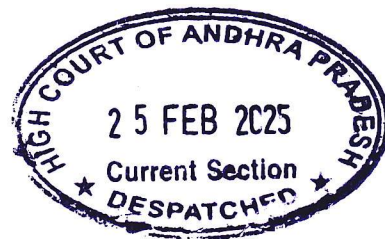
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HIGH COURT

DATED:14/02/2025

LIST ALONG WITH W.P.No.19759 of 2023.

**ORDER
IA.No.2 of 2024
IN/AND
WP.No.36662 of 2018**



IA.No.2 of 2024 IS ORDERED