

[3331]

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

THURSDAY, THE TWENTY FIRST DAY OF MARCH
TWO THOUSAND AND TWENTY FOUR

:PRESENT:

**THE HONOURABLE SRI JUSTICE SUBBA REDDY SATTI
WRIT PETITION NO: 7020 OF 2024**



Between:

Shaik Abdul Jabbar, Occ- Private employment S/o. Shaik Amanullah, aged about 33 years R/o.75-4-28, Rangoon Saheb Street, Bhavanipuram, Vijayawada Urban Vijayawada, Krishna District- 520012 Andhra Pradesh

...Petitioner

AND

1. The State of A.P., Rep. by its Principal Secretary, Municipal Administration and Urban Development Government of A.P. A.P. Secretariat, Velagapudi, Guntur District.
2. The State of A.P., Rep. by its Principal Secretary, Revenue department Government of A.P. A.P. Secretariat, Velagapudi, Guntur District.
3. The State of A.P., Rep. by its Inspector General (Registration and Stamps) IGRS Office, V- Square Buildings KSR Park Road, Ward No.2, Tadepalli, Guntur District- 522501, A.P.
4. The District Collector, NTR District, M.G.Road Vijayawada- 520002.
5. Vijayawada Municipal Corporation, Rep. by its Commissioner Canal Road, Krishnalanka Vijayawada- 520001.
6. The District Registrar, Registration and Stamps Dept Panta Kaluva Road, Maruthi Colony, Patamata, Benz Circle, Vijayawada Krishna District-520008, A.P.
7. The City Planner (Town Planning), Vijayawada Municipal Corporation Canal Road, Vijayawada-520001. Krishna District.
8. The Tahsildar, Vijayawada West Mandal Vijayawada City, Bhavanipuram Krishna District.
9. The President, Vijayawada Iron and Hardware Merchants Commercial Complex Welfare Society, Plot No.8, Vijayawada Bypass Road, Near Iron Yard Bhavanipuram, Jojinagar, Vijayawada - 520012, Krishna 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 herein who are resorting to unauthorised and illegal construction of the compound wall in the petitioners property in R.S.No. 24-2 admeasuring Ac. 0.875 Cents, vide document No.129/1955(SRO, Gandhinagar, Vijayawada) located adjacent to the Iron Yard, Bhavanipuram by the Respondents more particularly respondents No.5, 7 and 9, which is illegal, arbitrary and contrary to law and is violative of Art.14,19, 21 and 300-A of the Constitution of India and against the principles of natural justice, and consequently direct the Respondents not to construct the compound wall in the subject schedule property of the petitioner and also direct the respondents not to dispossess the petitioner.

IA NO: 1 OF 2024

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 direct the respondents herein not to construct the compound wall in the subject schedule property in R.S.No.24-2 in an extent of Ac.0.875 Cents of the petitioner herein, Pending disposal of WP 7020 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 upon hearing the arguments of SRI KALLEMU VIJAYA RAJU Advocate for the Petitioner, GP FOR MUNICIPAL ADMN URBAN DEV for the Respondent No.1, GP FOR REVENUE for Respondent Nos.2, 4 & 8, GP FOR STAMPS & REGISTRATION for respondent Nos.3 & 6 and Sri M.Manohar Reddy Standing Counsel for respondent nos.5 & 7, and the Court made the following.

ORDER

"Sri G.Naresh Kumar, learned counsel representing Sri M.Manohar Reddy, learned Standing Counsel appearing for respondent Nos.5 & 7 would submit that the property in dispute, is open site in layout in L.P.No.11/1990. The property was handed over to the Municipal Corporation, as part of conditions of the layout. He seeks time to file counter affidavit.

List the matter on 04.04.2024.

In the facts and circumstances of the case, in the interest of both the parties, the Corporation shall construct compound wall only and not make any permanent structures in the site in dispute."

//TRUE COPY//

Sd/- M. SRINIVAS
ASSISTANT REGISTRAR
ASS
SECTION OFFICER

To,

1. The Principal Secretary, Municipal Administration and Urban Development, State Of Andhra Pradesh, Government of A.P. A.P. Secretariat, Velagapudi, Guntur District.
2. The Principal Secretary, Revenue department, State Of Andhra Pradesh, Government of A.P. A.P. Secretariat, Velagapudi, Guntur District.
3. The Inspector General (Registration and Stamps), State Of Andhra Pradesh, IGRS Office, V- Square Buildings KSR Park Road, Ward No.2, Tadepalli, Guntur District- 522501, A.P.
4. The District Collector, NTR District, M.G.Road Vijayawada- 520002.
5. The Commissioner, Vijayawada Municipal Corporation, Canal Road, Krishnalanka Vijayawada- 520001.

6. The District Registrar, Registration and Stamps Dept Panta Kaluva Road, Maruthi Colony, Patamata, Benz Circle, Vijayawada Krishna District-520008, A.P.
7. The City Planner (Town Planning), Vijayawada Municipal Corporation Canal Road, Vijayawada-520001. Krishna District.
8. The Tahsildar, Vijayawada West Mandal Vijayawada City, Bhavanipuram Krishna District.
9. The President, Vijayawada Iron and Hardware Merchants Commercial Complex Welfare Society, Plot No.8, Vijayawada Bypass Road, Near Iron Yard Bhavanipuram, Jojinagar, Vijayawada - 520012, Krishna District. (1 to 9 by RPAD)
10. One CC to SRI. KALLEMU VIJAYA RAJU Advocate [OPUC]
11. One CC to Sri M.Manohar Reddy, Standing Counsel [OPUC]
12. Two CCs to GP FOR MUNICIPAL ADMN URBAN DEV ,High Court Of Andhra Pradesh. [OUT]
13. Two CCs to GP FOR REVENUE, High Court of Andhra Pradesh.[OUT]
14. Two CCs to GP FOR STAMPS & REGISTRATION, High Court of Andhra Pradesh.[OUT]
15. One spare copy

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HIGH COURT

SRS, J

DATED:21/03/2024

List the matter on 04.04.2024.

ORDER

WP.No.7020 of 2024

DIRECTION

