

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

FRIDAY, THE TWENTY SECOND DAY OF APRIL, TWO THOUSAND AND TWENTY TWO

:PRESENT:

**THE HONOURABLE SMT JUSTICE KONGARA VIJAYA LAKSHMI**  
WRIT PETITION No. 11591 of 2022



**Between:**

1. K. Shoba Rani, W/o K. Maruthi, Aged about 33 years, Occ House Wife, R/o D.No. 2-772, Maruthi Nagar, Somandepalli Village and Mandal, Anantapuram District.
2. K. Maruti, S/o Ramanjineyulu, Aged about 35 years, Occ Business, R/o D.No. 2-772, Maruthi Nagar, Somandepalli Village and Mandal, Anantapuram District.

....Petitioner

AND

1. State of Andhra Pradesh, Rep. by its Principal Secretary, Municipal Administration and Urban Development Department, Secretariat Building, Velagapudi, Guntur District.
2. The Planning Officer, Anantapuramu-Hindupur Urban Development Authority (AHUDA) D.No. 11/86, Near Collector Bunglow, Anantapur, Anantapur District.
3. The Vice Chairperson, Anantapuramu-Hindupur Urban Development Authority, Near Collector Bunglow, Anantapur, Anantapur District.
4. The Panchayat Secretary, Gram Panchayat Office, Somandepally, Anantapuram District.

....Respondents

WHEREAS the Petitioners above named through their Advocate SRI R. SUJAN KUMAR, 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 direction more particularly one in the nature of mandamus Declaring the impugned order proceedings No. 106/2020/AHUDA, dated 14.03.2022 passed by the 3<sup>rd</sup> respondent is as illegal, arbitrary, Violation of principle of natural justice and violative of article 14, 21, and 300-A of Constitution of India and contrary to the AP Metropolitan region and Urban development authorities Act, 2016 and consequently set aside the same.

AND WHEREAS the High Court upon perusing the petition and affidavit filed herein and upon hearing the arguments of SRI R. SUJAN KUMAR Advocate for the Petitioners and of the Govt. Pleader for Municipal Administration for respondent No.1 and of Sri Kommasani Srinivasula Reddy, Standing Counsel for respondent Nos.2 and 3 and of Sri Vinod K. Reddy, Standing Counsel for respondent No.4, directed issue of notice to the Respondents herein to show cause as to why this WRIT PETITION should not be admitted.

You viz:

1. The Principal Secretary, Municipal Administration and Urban Development Department, State of Andhra Pradesh, Secretariat Building, Velagapudi, Guntur District.
2. The Planning Officer, Anantapuramu-Hindupur Urban Development Authority (AHUDA) D.No. 11/86, Near Collector Bunglow, Anantapur, Anantapur District.
3. The Vice Chairperson, Anantapuramu-Hindupur Urban Development Authority, Near Collector Bunglow, Anantapur, Anantapur District.
4. The Panchayat Secretary, Gram Panchayat Office, Somandepally, Anantapuram District.

are directed to show cause either appearing in person or through an advocate on or before 29-06-2022 to which date the case stands posted as to why in the circumstances set out in the petition and the affidavit filed therewith (copy enclosed) this WRIT PETITION should not be admitted.

Contd..2...



- 2 -

**I.A.No. 1 of 2022 :-**

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 not to demolish the existing structures in SY No. 52 in Somandapalli village in an extent of 572.48 Sq.mts by suspending the impugned orders no. 106/2020/AHUDA, dated 14.03.2022 passed by the 3rd respondent passed by the 3rd respondent, pending disposal of the main writ petition, and pa, pending disposal of WP No. 11591 of 2022, on the file of the High Court.

The Court made the following ORDER :-

“Notice before admission.

Learned Government Pleader takes notice for the 1<sup>st</sup> respondent, Sri Kommasani Srinivasula Reddy, learned Standing Counsel takes notice for the respondents 2 and 3 and Sri Vinod K. Reddy, learned Standing Counsel takes notice for the 4<sup>th</sup> respondent Gram Panchayat.

Learned counsel for the petitioners submits that the petitioners filed WP No.4288 of 2022 and the same was disposed of on 23.02.2022 directing the respondents to pass appropriate orders after taking into consideration the reply submitted by the petitioners to the notice and after hearing the parties. He further submits that the impugned order dated 14.03.2022 is passed, without hearing the parties and without considering the explanation submitted by them, directing removal of portion of the subject building.

The impugned proceedings dated 14.03.2022 do not show that hearing was given to the petitioners. However, learned Standing Counsel appearing for the respondents 2 and 3 submits that he received oral instructions stating that personal haring has been given.

As the impugned order does not show that any personal hearing has been given, the respondents are directed not to demolish the existing structures in Survey No.52 of Somandapalli village in an extent of 572.48 sq. meters till 30.06.2022.

List the matter on 29.06.2022.”

//TRUE COPY//

SD/- K.TATA RAO  
DEPUTY REGISTRAR

for , SECTION OFFICER

To

- 1.The Principal Secretary, Municipal Administration and Urban Development Department, State of Andhra Pradesh, Secretariat Building, Velagapudi, Guntur District.
  - 2.The Planning Officer, Ananapuramu-Hindupur Urban Development Authority (AHUDA) D.No. 11/86, Near Collector Bunglow, Anantapur, Anantapur District.
  - 3.The Vice Chairperson, Anantapuramu-Hindupur Urban Development Authority, Near Collector Bunglow, Anantapur, Anantapur District.
  - 4.The Panchayat Secretary, Gram Panchayat Office, Somandepally, Anantapuram District.
- (Addressee Nos. 1 to 4 by RPAD along with a copy of Petition & Affidavit
- 5.Two CCs to the G.P. for Municipal Administration, High Court of A.P., at Amaravati(OUT)
  - 6.One CC to Sri R. Sujana Kumar, Advocate(OPUC)
  - 7.One CC to Kommasani Srinivasula Reddy, Standing Counsel(OPUC)
  - 8.One CC to Sri Vinod K. Reddy, Standing Counsel(OPUC)
  - 9.One spare copy.

TKK



# HIGH COURT

KVL.J

DT.22-04-2022.

NOTICE BEFORE ADMISSION

W.P.No. 11591 of 2022

DIRECTION

