

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

MONDAY, THE EIGHTH DAY OF JULY  
TWO THOUSAND AND TWENTY FOUR

PRESENT

THE HONOURABLE SRI JUSTICE B KRISHNA MOHAN

WRIT PETITION NO: 14231 OF 2024



Between:

M/s. Sai Baba High School, Rep by Its Chairman, M.V. Ramachandra Reddy S/o Chennareddy, Age-59 Yrs, ITI Circle, Kadapa, YSR District.

...PETITIONER

AND

1. The State of Andhra Pradesh, Rep by Its Principal Secretary, Municipal Administration and Urban Development Dept, AP Secretariat, Guntur Dist.
2. The Kadapa Municipal Corporation, Kadapa, YSr District, Rep by its Commissioner.
3. The Commissioner, Kadapa Municipal Corporation, Kadapa, YSR District.

...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 of mandamus or any appropriate writ order or direction declaring the action of Respondents more so the 3<sup>rd</sup> Respondent in proposing to demolish the structures of school Building M/s Sai Baba High School, ITI Circle, Kadapa without following the due process and threatening to demolish the existing structures by issuing the Notice No.T 3502/2024-G1 Dated 27.06.2024 as illegal arbitrary and unconstitutional and also violative of principles of natural justice and consequently direct the 2<sup>nd</sup> and 3<sup>rd</sup> respondent not to demolish the structure.

**IA NO: 1 OF 2024**

Petition under Section 151 CPC praying that in the circumstances stated in the affidavit filed in support of the writ petition, the High Court may be pleased to suspend the operation of the Notice No.T 3502/2024-G1 Dated 27.06.2024 pending disposal of the above writ petition.

**Counsel for the Petitioner: SRI GUNDALA SIVA PRASADA REDDY**

**Counsel for the Respondent No.1: GP MUNICIPAL ADMINISTRATION  
AND URBAN DEVELOPMENT**

**Counsel for the Respondent Nos.2 & 3: SRI KALAVA SURESH KUMAR  
REDDY, SC FOR MUNICIPAL CORPORATION**

**The Court made the following: ORDER**



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

[3233]

MONDAY, THE EIGHTH DAY OF JULY  
TWO THOUSAND AND TWENTY FOUR

PRESENT

THE HONOURABLE SRI JUSTICE B KRISHNA MOHAN

WRIT PETITION NO: 14231/2024

**Between:**

M/s Sai Baba High School

...PETITIONER

AND

The State Of Ap and Others

...RESPONDENT(S)

**Counsel for the Petitioner:**

1. GUNDALA SIVA PRASADA REDDY

**Counsel for the Respondent(S):**

1. GP MUNICIPAL ADMN AND URBAN DEV AP

**The Court made the following Order:**

Heard the learned counsel for the petitioner and the learned  
Standing Counsel for the respondent Nos.2 & 3.

2. This writ petition is filed questioning the notice issued by the  
2<sup>nd</sup> respondent dated 27.06.2024 alleging that the petitioner raised  
unauthorized construction in the name of the school by illegally  
occupying the drain.

3. The learned counsel for the petitioner submits that the petitioner school is there in existence for the last so many years and it was constructed as per the sanctioned plan and the petitioner is also paying the property tax. While so, the 2<sup>nd</sup> respondent issued the above said notice dated 27.06.2024 basing upon some wrong compliant said to have been given by some public representative i.e., MLC, Kadapa, as referred in the 1<sup>st</sup> reference cited in the above said notice dated 27.06.2024. The respondent Nos.2 & 3 are trying to take action highhandedly, without giving due opportunity to the petitioner and without following the due procedure.

4. On the other hand, the learned Standing Counsel appearing for the respondent Nos.2 & 3 submits that pursuant to the above said notice dated 27.06.2024, the petitioner can submit its explanation and if so, the same will be considered by following the due procedure by the authorities concerned.

5. In view of the above said facts and circumstances, the petitioner is permitted to submit its explanation to the impugned notice of the 2<sup>nd</sup> respondent dated 27.06.2024 by enclosing all the necessary documents in support of its claim within a period of two (02) weeks from the date of receipt of this order. On receipt of the same, the respondent Nos.2 & 3 are directed to proceed in accordance with law by following the due procedure pursuant to the above said impugned notice dated 27.06.2024, by hearing all the parties concerned including

the petitioner herein and upon verification of the records and the subject building, appropriate decision shall be taken on its own merits as expeditiously as possible preferably within a period of six (06) weeks thereafter. Pending enquiry, there shall not be any coercive steps.

6. Accordingly, this writ petition is disposed of. There shall be no order as to costs.

As a sequel, Miscellaneous Petitions pending, if any, shall stand closed.

**//TRUE COPY//**

SD/- K.SRINIVASA RAJU  
ASSISTANT REGISTRAR  
SECTION OFFICER

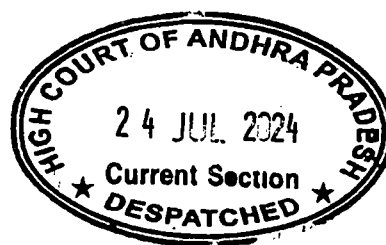
**To,**

1. The Principal Secretary, Municipal Administration and Urban Development Dept, State of Andhra Pradesh, AP Secretariat, Guntur Dist.
2. The Commissioner, Kadapa Municipal Corporation, Kadapa, YSR District.
3. One CC to Sri Gundala Siva Prasada Reddy, Advocate [OPUC]
4. One CC to Sri Kalava Suresh Kumar Reddy, SC for Municipal Corporation[OPUC]
5. Two CCs to GP for Municipal Administration and Urban Development, High Court of Andhra Pradesh. [OUT]
6. Three CD Copies.

ssb

**HIGH COURT**

**DATED:08/07/2024**



**ORDER**

**WP.No.14231 of 2024**

**DISPOSING OF THE W.P. WITHOUT COSTS**