

IN THE HIGH COURT OF ANDHRA PRADESH AT AMARAVATI

TUESDAY, THE TWENTY FOURTH DAY OF AUGUST,  
TWO THOUSAND AND TWENTY ONE

:PRESENT:

THE HONOURABLE SRI JUSTICE R RAGHUNANDAN RAO

WRIT PETITION NO: 17929 OF 2021



**Between:**

Syed Nawab Basha, S/o.Sabjan, 36 years R/o.4-24-A-19-11C, Donthi, B.K. palte, Madanapalle, Chittoor District.

**.. Petitioner**

**AND**

1. The State of Andhra Pradesh,, Reptd. By its Principal Secretary, Municipal Administration Department, Andhra Pradesh Secretariat, Velagapudi Amaravathi, Guntur District.
2. The Madanapalle Municipality, Rep. by its Commissioner Madanapalle, Chittoor District.
3. The Sub-Collector, Madanapalle, Chittoor District
4. The Tahsildar, Madanapalle Mandal, Chittoor 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 an appropriate Writ, Order, or Direction, more particularly one in the nature of WRIT OF MANDAMUS, declaring the Confirmation Order in Notice No.281009/MDP/UC/2021, dated 04.08.2021 issued by the 2 Respondent herein is illegal, arbitrary, unconstitutional and violative of Principles of Natural Justice and contrary to the provisions of A.P. Municipalities Act, 1965 and consequently set aside the Confirmation Order in Notice No.281009/MDP/UC/2021, dated 04.08.2021 issued by the 2 Respondent herein.

**IA NO: 1 OF 2021**

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 SUSPEND the operation of the Confirmation Order in Notice No.281009/MDP/UC/2021, dated 04.08.2021 issued by the 2 Respondent herein pending disposal of WP 17929 of 2021, 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 G RAMESH BABU Advocate for the Petitioner(s), GP FOR MUNICIPAL ADMN URBAN DEV for the Respondent(s) 1 to 2, G.P. FOR REVENUE FOR THE RESPONDENT No.3 Sri. N. RANGA REDDY SC FOR Respondent No.4 and the Court made the following.



## **ORDER**

The complaint of the petitioner is that the 2nd respondent Municipality seeking to demolish his construction on the basis of an order of confirmation dated 04.08.2021 without considering his objections.

Sri N.Ranga Reddy, learned Standing Counsel for the 2nd respondent Municipality submits that the objections of the petitioner were considered and thereafter impugned order was passed. He further submits that the petitioner had encroached about 2 ½ feet site of the neighbour, who has also filed W.P.No.13983 of 2021 before this Court.

In the circumstances, the 2nd respondent shall place all the records relating to the impugned notice by the next date of hearing.

Post on 01.09.2021 in the 'Motion List' along with W.P.No.13983 of 2021.

In the meanwhile, status-quo shall be maintained which would mean that neither the petitioner shall make any further construction nor shall be there any demolition of the structure.

Registry to print the name of Sri N.Ranga Reddy.

Sd/- B. NARSING RAO  
ASSISTANT REGISTRAR

//TRUE COPY//

  
For ASSISTANT REGISTRAR

To,

1. The Principal Secretary, Municipal Administration Department, State Andhra Pradesh Secretariat, Velagapudi Amaravathi, Guntur District. (by RPAD)
2. The Commissioner Madanapalle Municipality, Rep. by its Commissioner Madanapalle, Chittoor District. (by RPAD)
3. The Sub-Collector, Madanapalle Chittoor District (by RPAD)
4. The Tahsildar, Madanapalle Mandal Chittoor District (by RPAD)
5. One CC to SRI. G RAMESH BABU Advocate [OPUC]
6. Two CCs to GP FOR MUNICIPAL ADMN URBAN DEV ,High Court Of Andhra Pradesh. [OUT]
7. Two CCS to G.P. FOR REVENUE (OUT)
8. To CCs Sri. N. Ranga Reddy SC (OPUC)
9. One spare copy

nbr





HIGH COURT

RRRJ

DATED:24/08/2021

ORDER

POST ON 1.09.2021 'MOTION LIST'

WP.No.17929 of 2021

STATU QUO

