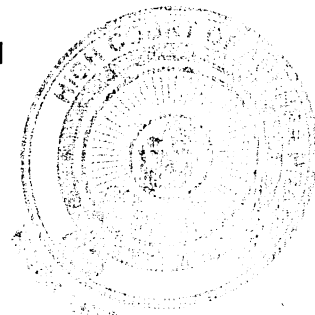


**IN THE HIGH COURT OF ANDHRA PRADESH AT AMARAVATI
(Special Original Jurisdiction)**

WEDNESDAY, THE TWENTY THIRD DAY OF DECEMBER
TWO THOUSAND AND TWENTY

:PRESENT:

THE HONOURABLE SRI JUSTICE D.V.S.S.SOMAYAJULU



WRIT PETITION NOS: 22418, 22419, 22420, 22692, 22693, 22695, 22697, 22698, 22699, 22700, 22702, 22866, 22867, 22868, 22874, 22875, 22879, 22882, 22885, 22893, 22894, 22895, 22911, 22914, 22920, 22941, 22952, 22965 23006, 23039, 23047, 23067, 23078, 23116, 23208, 23224, 23267, and 23598 of 2020

W.P. No. 22418 of 2020:

Between:

K.Veera Raju, S/o Late Sri Jagga Rao, aged 59 years, Business, R/o 27-6-40/A, Spring Road, Visakhapatnam.

Petitioner

AND

1. State of Andhra Pradesh, rep.by its Principal Secretary, Municipal Administration and Urban Development, Secretariat Buildings, Amaravathi, Guntur District.
2. Greater Visakhapatnam Municipal Corporation, Visakhapatnam, rep.by its Commissioner
3. The Zonal Commissioner, Zone-IV, Greater Visakhapatnam Municipal Corporation, Visakhapatnam.

Respondents

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the affidavit filed herein, the High Court may be pleased to issue a writ, order or direction more particularly one in the nature of WRIT OF MANDAMUS declaring the impugned action of the Visakhapatnam Municipal Corporation, the 2nd respondent herein, in issuing the Proceedings in Rc.No.1700/2020/A7 of Greater Visakhapatnam Municipal Corporation, Zone-IV, Visakhapatnam dated 20.11.2020 (Served and received on 24.11.2020) as arbitrary, illegal, capricious, high handed, violate the fundamental rights guaranteed to the petitioner under Articles 14, 25 and the guarantee under Article 300-A of the Constitution of India, the Statutory provisions of the Hyderabad Municipal Corporation Act, 1955 as is made applicable to the Greater Visakhapatnam Municipal Corporation Act, the G.O.Ms.No.56 of Municipal Administration and Urban Development (J1) Department of Government of Andhra Pradesh dated 05.02.2011 issued under the provisions of Andhra Pradesh Municipalities (Regulation of Receipts and Expenditure) Rules, 1968 exercising the powers conferred under Section 326 of the A.P.Municipalities Act, 1965 and the principles of natural justice and fair play and consequently direct the respondents herein not to interfere with Petitioner's peaceful physical possession and continuous enjoyment in respect of Shop No.21, Wholesale Vegetable Market, Gnanapuram, (Popularly Known as Convent Junction Market), Zone IV, Greater Visakhapatnam Municipal Corporation, Visakhapatnam in any manner whatsoever including the pretext of nonpayment of the amounts demanded under the impugned proceedings;

IA NO: 1 OF 2020

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 grant STAY of all further proceedings pursuant to the Proceedings Rc.No.1700/2020/A7 dated 20.11.2020 (Served and received on 24.11.2020) of the Greater Visakhapatnam Municipal Corporation, Zone-IV, Visakhapatnam, the 2nd respondent herein through the 3rd respondent, including not to seal the premises Shop No.21, Wholesale Vegetable Market, Gnanapuram, (Popularly Known as Convent Junction Market), Zone IV, Greater Visakhapatnam Municipal Corporation, Visakhapatnam in any manner whatsoever including under the pretext of non-payment of the amounts demanded under the impugned proceedings, pending disposal of Writ Petition No.22418 of 2020, on the file of the High Court.

WP. No. 22419 of 2020:**Between:**

N.Veera Bhadra Rao, S/o.late Balakrishna Rao R/o 8-6-48, Pedda Waltair Junction L.B. Colony Visakhapatnam.

Petitioner**AND**

1. State of Andhra Pradesh, rep.by its Principal Secretary, Municipal Administration and Urban Development, Secretariat Buildings, Amaravathi, Guntur District.
2. Greater Visakhapatnam Municipal Corporation, Visakhapatnam, rep.by its Commissioner
3. The Zonal Commissioner, Zone-IV, Greater Visakhapatnam Municipal Corporation, Visakhapatnam.

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, order or direction more particularly one in the nature of WRIT OF MANDAMUS declaring the impugned action of the Visakhapatnam Municipal Corporation, the 2nd respondent herein, in issuing the Proceedings in Rc.No.1700/2020/A7 of Greater Visakhapatnam Municipal Corporation, Zone-IV, Visakhapatnam dated 20.11.2020 Served and received on 24.11.2020) as arbitrary, illegal, capricious, high handed, violate the fundamental rights guaranteed to the petitioner under Articles 14, 25 and the guarantee under Article 300-A of the Constitution of India, the Statutory provisions of the Hyderabad Municipal Corporation Act, 1955 as is made applicable to the Greater Visakhapatnam Municipal Corporation Act, the G.O. Ms. No. 56 of Municipal Administration and Urban Development (J1) Department of Government of Andhra Pradesh dated 05.02.2011 issued under the provisions of Andhra Pradesh Municipalities (Regulation of Receipts and Expenditure) Rules, 1968 exercising the powers conferred under Section 326 of the A.P. Municipalities Act, 1965 and the principles of natural justice and fair play and consequently direct the respondents herein not to interfere with Petitioner's peaceful physical possession and continuous enjoyment in respect of Shop No. 08, Wholesale Vegetable Market, Gnanapuram, (Popularly Known as Convent Junction Market), Zone IV, Greater Visakhapatnam Municipal Corporation, Visakhapatnam in any manner whatsoever including the pretext of nonpayment of the amounts demanded under the impugned proceedings;

IA NO: 1 OF 2020

Petition under Section 151 CPC praying that in the circumstances stated in the affidavit filed in W.P., the High Court may be pleased to grant stay of all further proceedings pursuant to the Proceedings Rc.No.1700/2020/A7 dated 20.11.2020 (Served and received on 24.11.2020) of the Greater Visakhapatnam Municipal Corporation, Zone-IV, Visakhapatnam, the 2nd respondent herein through the 3rd respondent, including not to seal the premises Shop No. 08, Wholesale Vegetable Market, Gnanapuram, (Popularly Known as Convent Junction Market), Zone IV, Greater Visakhapatnam Municipal Corporation, Visakhapatnam in any manner whatsoever including under the pretext of non payment of the amounts demanded under the impugned proceedings, pending disposal of Writ Petition No.22419 of 2020, on the file of the High Court.

W.P. NO: 22420 OF 2020

Between:

Chinnimilli Venkat Rao, S/o Satyam, aged 66 years, Business, R/o 7-5114/13 Prayaga Residency Flat No.302, Near Panduranga Swamy Temple Pandurangapuram Visakhapatnam.

Petitioner

AND

1. State of Andhra Pradesh, rep.by its Principal Secretary, Municipal Administration and Urban Development, Secretariat Buildings, Amaravathi, Guntur District.
2. Greater Visakhapatnam Municipal Corporation, Visakhapatnam, rep.by its Commissioner
3. The Zonal Commissioner, Zone-IV, Greater Visakhapatnam Municipal Corporation, Visakhapatnam.

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, order or direction more particularly one in the nature of WRIT OF MANDAMUS declaring the impugned action of the Visakhapatnam Municipal Corporation, the 2nd respondent herein, in issuing the Proceedings in Rc.No.1700/2020/A7 of Greater Visakhapatnam Municipal Corporation, Zone-IV, Visakhapatnam dated 20.10.2020 (signed on 20.11.2020) (Served and received on 24.11.2020) as arbitrary, illegal, capricious, high handed, violate the fundamental rights guaranteed to the petitioner under Articles 14, 25 and the guarantee under Article 300-A of the Constitution of India, the Statutory provisions of the Hyderabad Municipal Corporation Act, 1955 as is made applicable to the Greater Visakhapatnam Municipal Corporation Act, the G.O. Ms. No. 56 of Municipal Administration and Urban Development (J1) Department of Government of Andhra Pradesh dated 05.02.2011 issued under the provisions of Andhra Pradesh Municipalities (Regulation of Receipts and Expenditure) Rules, 1968 exercising the powers conferred under Section 326 of the A.P. Municipalities Act, 1965 and the principles of natural justice and fair play and consequently direct the respondents herein not to interfere with petitioner peaceful physical possession and continuous enjoyment in respect of Shop No. 01, Wholesale Vegetable Market, Gnanapuram, (Popularly Known as Convent Junction Market), Zone IV, Greater Visakhapatnam Municipal Corporation, Visakhapatnam in any manner whatsoever including the pretext of nonpayment of the amounts demanded under the impugned proceedings;

IA NO: 1 OF 2020

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 grant STAY of all further proceedings pursuant to the Proceedings Rc.No.1700/2020/A7 dated 20.10.2020 (signed on 20.11.2020) (Served and received on 24.11.2020) of the Greater Visakhapatnam Municipal Corporation, Zone-IV, Visakhapatnam, the 2nd respondent herein through the 3rd respondent, including not to seal the premises Shop No. 01, Wholesale Vegetable Market, Gnanapuram, (Popularly Known as Convent Junction Market), Zone IV, Greater Visakhapatnam Municipal Corporation, Visakhapatnam in any manner whatsoever including under the pretext of nonpayment of the amounts demanded under the impugned proceedings, pending disposal of Writ Petition No.22420 of 2020, on the file of the High Court.

W.P. NO: 22692 OF 2020**Between:**

K. Babu Rao, S/o.late Appanna Aged 72 years R/o.27-7-5 Spring Road Poorna Market, Visakhapatnam.

Petitioner**AND**

1. State of Andhra Pradesh, rep. by its Principal Secretary, Municipal Administration and Urban Development, Secretariat Buildings, Amaravathi, Guntur District.
2. Greater Visakhapatnam Municipal Corporation, Visakhapatnam, rep. by its Commissioner
3. The Zonal Commissioner, Zone-IV, Greater Visakhapatnam Municipal Corporation, Visakhapatnam.

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, order or direction more particularly one in the nature of WRIT OF MANDAMUS declaring the impugned action of the Visakhapatnam Municipal Corporation, the 2nd respondent herein, in issuing the Proceedings in Rc.No.1700/2020/A7 of Greater Visakhapatnam Municipal Corporation, Zone-IV, Visakhapatnam dated 20.10.2020 (signed on 20.11.2020) (Served and received on 24.11.2020) as arbitrary, illegal, capricious, high handed, violate the fundamental rights guaranteed to the petitioner under Articles 14, 25 and the guarantee under Article 300-A of the Constitution of India, the Statutory provisions of the Hyderabad Municipal Corporation Act, 1955 as is made applicable to the Greater Visakhapatnam Municipal Corporation Act, the G.O. Ms. No. 56 of Municipal Administration and Urban Development (J1) Department of Government of Andhra Pradesh dated 05.02.2011 issued under the provisions of Andhra Pradesh Municipalities (Regulation of Receipts and Expenditure) Rules, 1968 exercising the powers conferred under Section 326 of the A.P. Municipalities Act, 1965 and the principles of natural justice and fair play and consequently direct the respondents herein not to interfere with Petitioner's peaceful physical possession and continuous enjoyment in respect of Shop No.02, Wholesale Vegetable Market, Gnanapuram, (Popularly Known as Convent Junction Market), Zone IV, Greater Visakhapatnam Municipal Corporation, Visakhapatnam in any manner whatsoever including the pretext of nonpayment of the amounts demanded under the impugned proceedings.

IA NO: 1 OF 2020

Petition under Section 151 CPC praying that in the circumstances stated in the affidavit filed in W.P., the High Court may be pleased to grant stay of all further proceedings pursuant to the Proceedings Rc.No.1700/2020/A7 dated 20.11.2020 (Served and received on 24.11.2020) of the Greater Visakhapatnam Municipal Corporation, Zone-IV, Visakhapatnam, the 2nd respondent herein through the 3rd respondent, including not to seal the premises Shop No. 02, Wholesale Vegetable Market, Gnanapuram, (Popularly Known as Convent Junction Market), Zone IV, Greater Visakhapatnam Municipal Corporation, Visakhapatnam in any manner whatsoever including under the pretext of non payment of the amounts demanded under the impugned proceedings, pending disposal of WP 22692 of 2020, on the file of the High Court.

WRIT PETITION NO: 22693 OF 2020**Between:**

K. Prasad, S/o.late Mahalakshmi Naidu, 45 years R/o 49-16-3, Lalitha Nagar Gopalapatnam Visakhapatnam.

Petitioner

AND

1. State of Andhra Pradesh, rep. by its Principal Secretary, Municipal Administration and Urban Development, Secretariat Buildings, Amaravathi, Guntur District.
2. Greater Visakhapatnam Municipal Corporation, Visakhapatnam, rep. by its Commissioner
3. The Zonal Commissioner, Zone-IV, Greater Visakhapatnam Municipal Corporation, Visakhapatnam.

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, order or direction more particularly one in the nature of WRIT OF MANDAMUS declaring the impugned action of the Visakhapatnam Municipal Corporation, the 2nd respondent herein, in issuing the Proceedings in Rc.No.1700/2020/A7 of Greater Visakhapatnam Municipal Corporation, Zone-IV, Visakhapatnam dated 20.11.2020 (Served and received on 24.11.2020) as arbitrary, illegal, capricious, high handed, violate the fundamental rights guaranteed to the petitioner under Articles 14, 25 and the guarantee under Article 300-A of the Constitution of India, the Statutory provisions of the Hyderabad Municipal Corporation Act, 1955 as is made applicable to the Greater Visakhapatnam Municipal Corporation Act, the G.O. Ms. No. 56 of Municipal Administration and Urban Development (J1) Department of Government of Andhra Pradesh dated 05.02.2011 issued under the provisions of Andhra Pradesh Municipalities (Regulation of Receipts and Expenditure) Rules, 1968 exercising the powers conferred under Section 326 of the A.P. Municipalities Act, 1965 and the principles of natural justice and fair play and consequently direct the respondents herein not to interfere with Petitioner's peaceful physical possession and continuous enjoyment in respect of Shop No.59, Wholesale Vegetable Market, Gnanapuram, (Popularly Known as Convent Junction Market), Zone IV, Greater Visakhapatnam Municipal Corporation, Visakhapatnam in any manner whatsoever including the pretext of nonpayment of the amounts demanded under the impugned proceedings and pass

IA NO: 1 OF 2020 :Petition under Section 151 CPC praying that in the circumstances stated in the affidavit filed in W.P., the High Court may be pleased to grant stay of all further proceedings pursuant to the Proceedings Rc.No.1700/2020/A7 dated 20.11.2020 (Served and received on 24.11.2020) of the Greater Visakhapatnam Municipal Corporation, Zone-IV, Visakhapatnam, the 2nd respondent herein through the 3rd respondent, including not to seal the premises Shop No. 59, Wholesale Vegetable Market, Gnanapuram, (Popularly Known as Convent Junction Market), Zone IV, Greater Visakhapatnam Municipal Corporation, Visakhapatnam in any manner whatsoever including under the pretext of non payment of the amounts demanded under the impugned proceedings, pending disposal of WP 22693 of 2020, on the file of the High Court.

WRIT PETITION NO: 22695 OF 2020**Between:**

N. Rama Mohan Rao, S/o.N.Rama Rao Aged 64 years, R/o.39-33-15/13/2 S.R.Nagar, Madhavadhara Visakhapatnam

Petitioner**AND**

1. State of Andhra Pradesh, rep. by its Principal Secretary, Municipal Administration and Urban Development, Secretariat Buildings, Amaravathi, Guntur District
2. Greater Visakhapatnam Municipal Corporation, Visakhapatnam, rep. by its Commissioner
3. The Zonal Commissioner, Zone-IV, Greater Visakhapatnam Municipal Corporation, Visakhapatnam.

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, order or direction more particularly one in the nature of WRIT OF MANDAMUS declaring the impugned action of the Visakhapatnam Municipal Corporation, the 2nd respondent herein, in issuing the Proceedings in Rc.No.1700/2020/A7 of Greater Visakhapatnam Municipal Corporation, Zone-IV, Visakhapatnam dated 20.11.2020 (Served and received on 24.11.2020) as arbitrary, illegal, capricious, high handed, violate the fundamental rights guaranteed to the petitioner under Articles 14, 25 and the guarantee under Article 300-A of the Constitution of India, the Statutory provisions of the Hyderabad Municipal Corporation Act, 1955 as is made applicable to the Greater Visakhapatnam Municipal Corporation Act, the G.O. Ms. No. 56 of Municipal Administration and Urban Development (J1) Department of Government of Andhra Pradesh dated 05.02.2011 issued under the provisions of Andhra Pradesh Municipalities (Regulation of Receipts and Expenditure) Rules, 1968 exercising the powers conferred under Section 326 of the A.P. Municipalities Act, 1965 and the principles of natural justice and fair play and consequently direct the respondents herein not to interfere with Petitioner's peaceful physical possession and continuous enjoyment in respect of Shop No.12, Wholesale Vegetable Market, Gnanapuram, (Popularly Known as Convent Junction Market), Zone IV, Greater Visakhapatnam Municipal Corporation, Visakhapatnam in any manner whatsoever including the pretext of nonpayment of the amounts demanded under the impugned proceedings and pass

IA NO: 1 OF 2020 : Petition under Section 151 CPC praying that in the circumstances stated in the affidavit filed in W.P., the High Court may be pleased to grant stay of all further proceedings pursuant to the Proceedings Rc.No.1700/2020/A7 dated 20.11.2020 (Served and received on 24.11.2020) of the Greater Visakhapatnam Municipal Corporation, Zone-IV, Visakhapatnam, the 2nd respondent herein through the 3rd respondent, including not to seal the premises Shop No. 12, Wholesale Vegetable Market, Gnanapuram, (Popularly Known as Convent Junction Market), Zone IV, Greater Visakhapatnam Municipal Corporation, Visakhapatnam in any manner whatsoever including under the pretext of non payment of the amounts demanded under the impugned proceedings, pending disposal of WP 22695 of 2020, on the file of the High Court.

WRIT PETITION NO: 22697 OF 2020

Between:

1. K.Ganga Raju, S/o.K.Appala Naidu 85 years R/o.Qrtr No.11-171 Ravindra Nagar Opp.Nookalamma Temple Gopalapatnam Visakhapatnam.
2. K.Prasad , S/o.late Mahalakshmi Naidu 45 years R/o 49-16-3, Lalitha Nagar Gopalapatnam Visakhapatnam
3. K.Ramachandra Rao, S/o.K.Appala Naidu 70 years R/o.10-93, Indira Nagar Gopalapatnam Visakhapatnam

Petitioners

AND

1. State of Andhra Pradesh, rep. by its Principal Secretary, Municipal Administration and Urban Development, Secretariat Buildings, Amaravathi, Guntur District.
2. Greater Visakhapatnam Municipal Corporation, Visakhapatnam, rep. by its Commissioner
3. The Zonal Commissioner, Zone-IV, Greater Visakhapatnam Municipal Corporation, Visakhapatnam.

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, order or direction more particularly one in the nature of WRIT OF MANDAMUS declaring the impugned action of the Visakhapatnam Municipal Corporation, the 2nd respondent herein, in issuing the Proceedings in Rc.No.1700/2020/A7 of Greater Visakhapatnam Municipal Corporation, Zone-IV, Visakhapatnam dated 20.11.2020 (Served and received on 24.11.2020) as arbitrary,

illegal, capricious, high handed, violate the fundamental rights guaranteed to the petitioner under Articles 14, 25 and the guarantee under Article 300-A of the Constitution of India, the Statutory provisions of the Hyderabad Municipal Corporation Act, 1955 as is made applicable to the Greater Visakhapatnam Municipal Corporation Act, the G.O. Ms. No. 56 of Municipal Administration and Urban Development (J1) Department of Government of Andhra Pradesh dated 05.02.2011 issued under the provisions of Andhra Pradesh Municipalities (Regulation of Receipts and Expenditure) Rules, 1968 exercising the powers conferred under Section 326 of the A.P. Municipalities Act, 1965 and the principles of natural justice and fair play and consequently direct the respondents herein not to interfere with Petitioner's peaceful physical possession and continuous enjoyment in respect of Shop No.17, Wholesale Vegetable Market, Gnanapuram, (Popularly Known as Convent Junction Market), Zone IV, Greater Visakhapatnam Municipal Corporation, Visakhapatnam in any manner whatsoever including the pretext of nonpayment of the amounts demanded under the impugned proceedings.

IA NO: 1 OF 2020 :Petition under Section 151 CPC praying that in the circumstances stated in the affidavit filed in W.P., the High Court may be pleased to grant stay of all further proceedings pursuant to the Proceedings Rc.No.1700/2020/A7 dated 20.11.2020 (Served and received on 24.11.2020) of the Greater Visakhapatnam Municipal Corporation, Zone-IV, Visakhapatnam, the 2nd respondent herein through the 3rd respondent, including not to seal the premises Shop No. 17, Wholesale Vegetable Market, Gnanapuram, (Popularly Known as Convent Junction Market), Zone IV, Greater Visakhapatnam Municipal Corporation, Visakhapatnam in any manner whatsoever including under the pretext of non payment of the amounts demanded under the impugned proceedings, pending disposal of WP 22697 of 2020, on the file of the High Court.

WRIT PETITION NO: 22698 OF 2020

Between:

K. Ramachandra Rao, S/o. K. Appalanaidu 70 years R/o 10-93, Indira Nagar Gopalapatnam Visakhapatnam

Petitioner

AND

1. State of Andhra Pradesh, rep. by its Principal Secretary, Municipal Administration and Urban Development, Secretariat Buildings, Amaravathi, Guntur District.
2. Greater Visakhapatnam Municipal Corporation, Visakhapatnam, rep. by its Commissioner
3. The Zonal Commissioner, Zone-IV, Greater Visakhapatnam Municipal Corporation, Visakhapatnam.

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, order or direction more particularly one in the nature of WRIT OF MANDAMUS declaring the impugned action of the Visakhapatnam Municipal Corporation, the 2nd respondent herein, in issuing the Proceedings in Rc.No.1700/2020/A7 of Greater Visakhapatnam Municipal Corporation, Zone-IV, Visakhapatnam dated 20.11.2020 (Served and received on 24.11.2020) as arbitrary, illegal, capricious, high handed, violate the fundamental rights guaranteed to the petitioner under Articles 14, 25 and the guarantee under Article 300-A of the Constitution of India, the Statutory provisions of the Hyderabad Municipal Corporation Act, 1955 as is made applicable to the Greater Visakhapatnam Municipal Corporation Act, the G.O. Ms. No. 56 of Municipal Administration and Urban Development (J1) Department of Government of Andhra Pradesh dated 05.02.2011 issued under the provisions of Andhra Pradesh Municipalities (Regulation of Receipts and Expenditure) Rules, 1968 exercising the powers conferred under Section 326 of the A.P. Municipalities Act, 1965 and the principles of natural justice and fair play and consequently direct the respondents herein not to interfere with Petitioner's peaceful

physical possession and continuous enjoyment in respect of Shop No.16, Wholesale Vegetable Market, Gnanapuram, (Popularly Known as Convent Junction Market), Zone IV, Greater Visakhapatnam Municipal Corporation, Visakhapatnam in any manner whatsoever including the pretext of nonpayment of the amounts demanded under the impugned proceedings.

IA NO: 1 OF 2020 :Petition under Section 151 CPC praying that in the circumstances stated in the affidavit filed in W.P., the High Court may be pleased to grant stay of all further proceedings pursuant to the Proceedings Rc.No.1700/2020/A7 dated 20.11.2020 (Served and received on 24.11.2020) of the Greater Visakhapatnam Municipal Corporation, Zone-IV, Visakhapatnam, the 2nd respondent herein through the 3rd respondent, including not to seal the premises Shop No. 16, Wholesale Vegetable Market, Gnanapuram, (Popularly Known as Convent Junction Market), Zone IV, Greater Visakhapatnam Municipal Corporation, Visakhapatnam in any manner whatsoever including under the pretext of non payment of the amounts demanded under the impugned proceedings, pending disposal of WP 22698 of 2020, on the file of the High Court.

WRIT PETITION NO: 22699 OF 2020

Between:

K Prasad, S/o.late Mahalakshmi Naidu 45 years R/o 49-16-3, Lalitha Nagar Gopalapatnam Visakhapatnam

Petitioner

AND

1. The State of A.P, rep. by its Principal Secretary, Municipal Administration and Urban Development, Secretariat Buildings, Amaravathi, Guntur District.
2. Greater Visakhapatnam Municipal Corporation, Visakhapatnam, rep. by its Commissioner
3. The Zonal Commissioner, Zone-IV, Greater Visakhapatnam Municipal Corporation, Visakhapatnam.

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, order or direction more particularly one in the nature of WRIT OF MANDAMUS declaring the impugned action of the Visakhapatnam Municipal Corporation, the 2nd respondent herein, in issuing the Proceedings in Rc.No.1700/2020/A7 of Greater Visakhapatnam Municipal Corporation, Zone-IV, Visakhapatnam dated 20.11.2020 (Served and received on 24.11.2020) as arbitrary, illegal, capricious, high handed, violate the fundamental rights guaranteed to the petitioner under Articles 14, 25 and the guarantee under Article 300-A of the Constitution of India, the Statutory provisions of the Hyderabad Municipal Corporation Act, 1955 as is made applicable to the Greater Visakhapatnam Municipal Corporation Act, the G.O. Ms. No. 56 of Municipal Administration and Urban Development (J1) Department of Government of Andhra Pradesh dated 05.02.2011 issued under the provisions of Andhra Pradesh Municipalities (Regulation of Receipts and Expenditure) Rules, 1968 exercising the powers conferred under Section 326 of the A.P. Municipalities Act, 1965 and the principles of natural justice and fair play and consequently direct the respondents herein not to interfere with petitioner's peaceful physical possession and continuous enjoyment in respect of Shop No.60, Wholesale Vegetable Market, Gnanapuram, (Popularly Known as Convent Junction Market), Zone IV, Greater Visakhapatnam Municipal Corporation, Visakhapatnam in any manner whatsoever including the pretext of nonpayment of the amounts demanded under the impugned proceedings.

IA NO: 1 OF 2020

Petition under Section 151 CPC praying that in the circumstances stated in the affidavit filed in W.P., the High Court may be pleased to grant stay of all further proceedings pursuant to the Proceedings Rc.No.1700/2020/A7 dated 20.11.2020 (Served and received on 24.11.2020) of the Greater Visakhapatnam Municipal Corporation, Zone-IV, Visakhapatnam, the 2nd respondent herein through the 3rd respondent, including not to seal the premises Shop No. 60, Wholesale Vegetable

Market, Gnanapuram, (Popularly Known as Convent Junction Market), Zone IV, Greater Visakhapatnam Municipal Corporation, Visakhapatnam in any manner whatsoever including under the pretext of non payment of the amounts demanded under the impugned proceedings, pending disposal of WP 22699 of 2020, on the file of the High Court.

WRIT PETITION NO: 22700 OF 2020

Between:

P.Srinivasa Rao, S/o.late Nooka Raju Aged 56 years R/o.44-37-5/2 80 Feet Road, Near Ganesh Temple Akkayapalem, Visakhapatnam.

Petitioner

AND

1. State of Andhra Pradesh, rep. by its Principal Secretary, Municipal Administration and Urban Development, Secretariat Buildings, Amaravathi, Guntur District.
2. Greater Visakhapatnam Municipal Corporation , Visakhapatnam, rep. by its Commissioner
3. The Zonal Commissioner, Zone-IV, Greater Visakhapatnam Municipal Corporation, Visakhapatnam.

....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, order or direction more particularly one in the nature of WRIT OF MANDAMUS declaring the impugned action of the Visakhapatnam Municipal Corporation, the 2nd respondent herein, in issuing the Proceedings in Rc.No.1700/2020/A7 of Greater Visakhapatnam Municipal Corporation, Zone-IV, Visakhapatnam dated 20.11.2020 (Served and received on 24.11.2020) as arbitrary, illegal, capricious, high handed, violate the fundamental rights guaranteed to the petitioner under Articles 14, 25 and the guarantee under Article 300-A of the Constitution of India, the Statutory provisions of the Hyderabad Municipal Corporation Act, 1955 as is made applicable to the Greater Visakhapatnam Municipal Corporation Act, the G.O. Ms. No. 56 of Municipal Administration and Urban Development (J1) Department of Government of Andhra Pradesh dated 05.02.2011 issued under the provisions of Andhra Pradesh Municipalities (Regulation of Receipts and Expenditure) Rules, 1968 exercising the powers conferred under Section 326 of the A.P. Municipalities Act, 1965 and the principles of natural justice and fair play and consequently direct the respondents herein not to interfere with Petitioner's peaceful physical possession and continuous enjoyment in respect of Shop No.18, Wholesale Vegetable Market, Gnanapuram, (Popularly Known as Convent Junction Market), Zone IV, Greater Visakhapatnam Municipal Corporation, Visakhapatnam in any manner whatsoever including the pretext of nonpayment of the amounts demanded under the impugned proceedings.

IA NO: 1 OF 2020

Petition under Section 151 CPC praying that in the circumstances stated in the affidavit filed in W.P., the High Court may be pleased to grant STAY of all further proceedings pursuant to the Proceedings Rc.No.1700/2020/A7 dated 20.11.2020 (Served and received on 24.11.2020) of the Greater Visakhapatnam Municipal Corporation, Zone-IV, Visakhapatnam, the 2nd respondent herein through the 3rd respondent, including not to seal the premises Shop No.18, Wholesale Vegetable Market, Gnanapuram, (Popularly Known as Convent Junction Market), Zone IV, Greater Visakhapatnam Municipal Corporation, Visakhapatnam in any manner whatsoever including under the pretext of nonpayment of the amounts demanded under the impugned proceedings, pending disposal of WP 22700 of 2020, on the file of the High Court.

WRIT PETITION NO: 22702 OF 2020**Between:**

N. Surya Prakash, S/o.late N.Krishnaji, aged 43 years, Business, R/o 39-33-15/13/1 S.R. Nagar, Madhavadhara Visakhapatnam.

Petitioner**AND**

1. State of Andhra Pradesh, rep. by its Principal Secretary, Municipal Administration and Urban Development, Secretariat Buildings, Amaravathi, Guntur District.
2. Greater Visakhapatnam Municipal Corporation, Visakhapatnam, rep. by its Commissioner
3. The Zonal Commissioner, Zone-IV, Greater Visakhapatnam Municipal Corporation, Visakhapatnam.

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, order or direction more particularly one in the nature of WRIT OF MANDAMUS declaring the impugned action of the Visakhapatnam Municipal Corporation, the 2nd respondent herein, in issuing the Proceedings in Rc.No.1700/2020/A7 of Greater Visakhapatnam Municipal Corporation, Zone-IV, Visakhapatnam dated 20.11.2020 (Served and received on 24.11.2020) as arbitrary, illegal, capricious, high handed, violate the fundamental rights guaranteed to the petitioner under Articles 14, 25 and the guarantee under Article 300-A of the Constitution of India, the Statutory provisions of the Hyderabad Municipal Corporation Act, 1955 as is made applicable to the Greater Visakhapatnam Municipal Corporation Act, the G.O. Ms. No. 56 of Municipal Administration and Urban Development (J1) Department of Government of Andhra Pradesh dated 05.02.2011 issued under the provisions of Andhra Pradesh Municipalities (Regulation of Receipts and Expenditure) Rules, 1968 exercising the powers conferred under Section 326 of the A.P. Municipalities Act, 1965 and the principles of natural justice and fair play and consequently direct the respondents herein not to interfere with Petitioner's peaceful physical possession and continuous enjoyment in respect of Shop No. 03, Wholesale Vegetable Market, Gnanapuram, (Popularly Known as Convent Junction Market), Zone IV, Greater Visakhapatnam Municipal Corporation, Visakhapatnam in any manner whatsoever including the pretext of nonpayment of the amounts demanded under the impugned proceedings.

IA NO: 1 OF 2020

Petition under Section 151 CPC praying that in the circumstances stated in the affidavit filed in W.P., the High Court may be pleased to grant stay of all further proceedings pursuant to the Proceedings Rc.No.1700/2020/A7 dated 20.11.2020 (Served and received on 24.11.2020) of the Greater Visakhapatnam Municipal Corporation, Zone-IV, Visakhapatnam, the 2nd respondent herein through the 3rd respondent, including not to seal the premises Shop No. 03, Wholesale Vegetable Market, Gnanapuram, (Popularly Known as Convent Junction Market), Zone IV, Greater Visakhapatnam Municipal Corporation, Visakhapatnam in any manner whatsoever including under the pretext of non payment of the amounts demanded under the impugned proceedings, Pending disposal of WP 22702 of 2020, on the file of the High Court.

WRIT PETITION NO: 22866 OF 2020**Between:**

CH Appa Rao, S/o Late Ch.Paidiaiah Aged 61 years, R/o Flat No.103, Ganga Vihar Apartments Door No.49-40-5 Akkayyapalem Visakhapatnam

Petitioner**AND**

1. State of Andhra Pradesh, rep. by its Principal Secretary, Municipal Administration and Urban Development, Secretariat Buildings, Amaravathi, Guntur District.

2. Greater Visakhapatnam Municipal Corporation, Visakhapatnam, Rep. by its Commissioner.
3. The Zonal Commissioner, Zone-IV, Greater Visakhapatnam Municipal Corporation, Visakhapatnam.

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, order or direction more particularly one in the nature of WRIT OF MANDAMUS declaring the impugned action of the Visakhapatnam Municipal Corporation, the 2nd respondent herein, in issuing the Proceedings in Rc.No.1700/2020/A7 of Greater Visakhapatnam Municipal Corporation, Zone-IV, Visakhapatnam dated 20.11.2020 (Served and received on 24.11.2020) as arbitrary, illegal, capricious, high handed, violate the fundamental rights guaranteed to the petitioner under Articles 14, 25 and the guarantee under Article 300-A of the Constitution of India, the Statutory provisions of the Hyderabad Municipal Corporation Act, 1955 as is made applicable to the Greater Visakhapatnam Municipal Corporation Act, the G.O. Ms. No. 56 of Municipal Administration and Urban Development (J1) Department of Government of Andhra Pradesh dated 05.02.2011 issued under the provisions of Andhra Pradesh Municipalities (Regulation of Receipts and Expenditure) Rules, 1968 exercising the powers conferred under Section 326 of the A.P. Municipalities Act, 1965 and the principles of natural justice and fair play and consequently direct the respondents herein not to interfere with Petitioner's peaceful physical possession and continuous enjoyment in respect of Shop No.26, Wholesale Vegetable Market, Gnanapuram, (Popularly Known as Convent Junction Market), Zone IV, Greater Visakhapatnam Municipal Corporation, Visakhapatnam in any manner whatsoever including the pretext of nonpayment of the amounts demanded under the impugned proceedings.

IA NO: 1 OF 2020

Petition under Section 151 CPC praying that in the circumstances stated in the affidavit filed in W.P., the High Court may be pleased to grant STAY of all further proceedings pursuant to the Proceedings Rc.No.1700/2020/A7 dated 20.11.2020 (Served and received on 24.11.2020) of the Greater Visakhapatnam Municipal Corporation, Zone-IV, Visakhapatnam, the 2nd respondent herein through the 3rd respondent, including not to seal the premises Shop No.26, Wholesale Vegetable Market, Gnanapuram, (Popularly Known as Convent Junction Market), Zone IV, Greater Visakhapatnam Municipal Corporation, Visakhapatnam in any manner whatsoever including under the pretext of nonpayment of the amounts demanded under the impugned proceedings, pending disposal of WP 22866 of 2020, on the file of the High Court.

WRIT PETITION NO: 22867 OF 2020

Between:

Chinnimilli Venkat Rao, S/o Satyam, aged 66 years, Business, R/o 7-5114/13 Prayaga Residency Flat No.302, Near Panduranga Swamy Temple Pandurangapuram Visakhapatnam

Petitioner

AND

1. State of Andhra Pradesh, rep. by its Principal Secretary, Municipal Administration and Urban Development, Secretariat Buildings, Amaravathi, Guntur District.
2. Greater Visakhapatnam Municipal Corporation, Visakhapatnam, rep. by its Commissioner
3. The Zonal Commissioner, Zone-IV, Greater Visakhapatnam Municipal Corporation, Visakhapatnam.

Respondents

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the affidavit filed herein, the High Court may be pleased to issue a writ, order or direction more particularly one in the nature of WRIT OF MANDAMUS declaring the impugned action of the Visakhapatnam Municipal

Corporation, the 2nd respondent herein, in issuing the Proceedings in Rc.No.1700/2020/A7 of Greater Visakhapatnam Municipal Corporation, Zone-IV, Visakhapatnam dated 20.11.2020 (Served and received on 24.11.2020) as arbitrary, illegal, capricious, high handed, violate the fundamental rights guaranteed to the petitioner under Articles 14, 25 and the guarantee under Article 300-A of the Constitution of India, the Statutory provisions of the Hyderabad Municipal Corporation Act, 1955 as is made applicable to the Greater Visakhapatnam Municipal Corporation Act, the G.O. Ms. No. 56 of Municipal Administration and Urban Development (J1) Department of Government of Andhra Pradesh dated 05.02.2011 issued under the provisions of Andhra Pradesh Municipalities (Regulation of Receipts and Expenditure) Rules, 1968 exercising the powers conferred under Section 326 of the A.P. Municipalities Act, 1965 and the principles of natural justice and fair play and consequently direct the respondents herein not to interfere with Petitioner's peaceful physical possession and continuous enjoyment in respect of Shop No.44, Wholesale Vegetable Market, Gnanapuram, (Popularly Known as Convent Junction Market), Zone IV, Greater Visakhapatnam Municipal Corporation, Visakhapatnam in any manner whatsoever including the pretext of nonpayment of the amounts demanded under the impugned proceedings.

IA NO: 1 OF 2020

Petition under Section 151 CPC praying that in the circumstances stated in the affidavit filed in W.P., the High Court may be pleased to grant stay of all further proceedings pursuant to the Proceedings Rc.No.1700/2020/A7 dated 20.11.2020 (Served and received on 24.11.2020) of the Greater Visakhapatnam Municipal Corporation, Zone-IV, Visakhapatnam, the 2nd respondent herein through the 3rd respondent, including not to seal the premises Shop No. 44, Wholesale Vegetable Market, Gnanapuram, (Popularly Known as Convent Junction Market), Zone IV, Greater Visakhapatnam Municipal Corporation, Visakhapatnam in any manner whatsoever including under the pretext of non payment of the amounts demanded under the impugned proceedings, pending disposal of WP 22867 of 2020, on the file of the High Court.

WRIT PETITION NO: 22868 OF 2020

Between:

K. Venkata Narasimha Rao, S/o. Late K.Satyanarayana Aged 61 years, Business R/o. D.No.14-1-4 Kakatiya ITI Road Gajuwaka Visakhapatnam.

Petitioner

AND

1. State of Andhra Pradesh, rep. by its Principal Secretary, Municipal Administration and Urban Development, Secretariat Buildings, Amaravathi, Guntur District.
2. Greater Visakhapatnam Municipal Corporation, Visakhapatnam, rep. by its Commissioner
3. The Zonal Commissioner, Zone-IV, Greater Visakhapatnam Municipal Corporation, Visakhapatnam.

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, order or direction more particularly one in the nature of WRIT OF MANDAMUS declaring the impugned action of the Visakhapatnam Municipal Corporation, the 2nd respondent herein, in issuing the Proceedings in Rc.No.1700/2020/A7 of Greater Visakhapatnam Municipal Corporation, Zone-IV, Visakhapatnam dated 20.11.2020 (Served and received on 24.11.2020) as arbitrary, illegal, capricious, high handed, violate the fundamental rights guaranteed to the petitioner under Articles 14, 25 and the guarantee under Article 300-A of the Constitution of India, the Statutory provisions of the Hyderabad Municipal Corporation Act, 1955 as is made applicable to the Greater Visakhapatnam Municipal Corporation Act, the G.O. Ms. No. 56 of Municipal Administration and Urban Development (J1) Department of Government of Andhra Pradesh dated 05.02.2011 issued under the provisions of Andhra Pradesh Municipalities (Regulation of Receipts and Expenditure) Rules, 1968 exercising the powers conferred under Section 326 of the A.P.

Municipalities Act, 1965 and the principles of natural justice and fair play and consequently direct the respondents herein not to interfere with Petitioner's peaceful physical possession and continuous enjoyment in respect of Shop No.45, Wholesale Vegetable Market, Gnanapuram, (Popularly Known as Convent Junction Market), Zone IV, Greater Visakhapatnam Municipal Corporation, Visakhapatnam in any manner whatsoever including the pretext of nonpayment of the amounts demanded under the impugned proceedings.

IA NO: 1 OF 2020

Petition under Section 151 CPC praying that in the circumstances stated in the affidavit filed in W.P., the High Court may be pleased to grant STAY of all further proceedings pursuant to the Proceedings Rc.No.1700/2020/A7 dated 20.11.2020 (Served and received on 24.11.2020) of the Greater Visakhapatnam Municipal Corporation, Zone-IV, Visakhapatnam, the 2nd respondent herein through the 3rd respondent, including not to seal the premises Shop No.45, Wholesale Vegetable Market, Gnanapuram, (Popularly Known as Convent Junction Market), Zone IV, Greater Visakhapatnam Municipal Corporation, Visakhapatnam in any manner whatsoever including under the pretext of nonpayment of the amounts demanded under the impugned proceedings, pending disposal of WP 22868 of 2020, on the file of the High Court.

WRIT PETITION NO: 22874 OF 2020

Between:

D. Ganesh Kumar, S/o.D.Trinadh Aged 32 years R/o. Flat No.S2, Home Tec Pratheeksha Apts Opp.Vinayaka Temple, AVM Nagar Visakhapatnam.

Petitioner

AND

1. State of Andhra Pradesh, rep. by its Principal Secretary, Municipal Administration and Urban Development, Secretariat Buildings, Amaravathi, Guntur District.
2. Greater Visakhapatnam Municipal Corporation, Visakhapatnam, rep. by its Commissioner
3. The Zonal Commissioner, Zone-IV, Greater Visakhapatnam Municipal Corporation, Visakhapatnam.

Respondent

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 WRIT OF MANDAMUS declaring the impugned action of the Visakhapatnam Municipal Corporation, the 2nd respondent herein, in issuing the Proceedings in Rc.No.1700/2020/A7 of Greater Visakhapatnam Municipal Corporation, Zone-IV, Visakhapatnam dated 20.11.2020 (Served and received on 24.11.2020) as arbitrary, illegal, capricious, high handed, violate the fundamental rights guaranteed to the petitioner under Articles 14, 25 and the guarantee under Article 300-A of the Constitution of India, the Statutory provisions of the Hyderabad Municipal Corporation Act, 1955 as is made applicable to the Greater Visakhapatnam Municipal Corporation Act, the G.O. Ms. No. 56 of Municipal Administration and Urban Development (J1) Department of Government of Andhra Pradesh dated' 05.02.2011 issued under the provisions of Andhra Pradesh Municipalities (Regulation of Receipts and Expenditure) Rules, 1968 exercising the powers conferred under Section 326 of the A.P. Municipalities Act, 1965 and the principles of natural justice and fair play and consequently direct the respondents herein not to interfere with Petitioner's peaceful physical possession and continuous enjoyment in respect of Shop No.57, Wholesale Vegetable Market, Gnanapuram, (Popularly Known as Convent Junction Market), Zone IV, Greater Visakhapatnam Municipal Corporation, Visakhapatnam in any manner whatsoever including the pretext of nonpayment of the amounts demanded under the impugned proceedings.

IA NO: 1 OF 2020 : Petition under Section 151 CPC praying that in the circumstances stated in the affidavit filed in W.P., the High Court may be pleased to grant STAY of all further proceedings pursuant to the Proceedings Rc.No.1700/2020/A7 dated 20.11.2020 (Served and received on 24.11.2020) of the Greater Visakhapatnam Municipal Corporation, Zone-IV, Visakhapatnam, the 2nd respondent herein through the 3rd respondent, including not to seal the premises Shop No.57, Wholesale Vegetable Market, Gnanapuram, (Popularly Known as Convent Junction Market), Zone IV, Greater Visakhapatnam Municipal Corporation, Visakhapatnam in any manner whatsoever including under the pretext of nonpayment of the amounts demanded under the impugned proceedings, pending disposal of WP 22874 of 2020, on the file of the High Court.

WRIT PETITION NO: 22875 OF 2020

Between:

Mopidevi Sairam, S/o. late M.Adi Vishnu Aged 31 years, Business R/o.Door No.36-44-77 Sriharsha Bhavan Kancherlapalem Visakhapatnam.

Petitioner

AND

1. State of Andhra Pradesh, rep. by its Principal Secretary, Municipal Administration and Urban Development, Secretariat Buildings, Amaravathi, Guntur District.
2. Greater Visakhapatnam Municipal Corporation , Visakhapatnam, rep. by its Commissioner
3. The Zonal Commissioner, Zone-IV, Greater Visakhapatnam Municipal Corporation, Visakhapatnam.

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, order or direction more particularly one in the nature of WRIT OF MANDAMUS declaring the impugned action of the Visakhapatnam Municipal Corporation, the 2nd respondent herein, in issuing the Proceedings in Rc.No.1700/2020/A7 of Greater Visakhapatnam Municipal Corporation, Zone-IV, Visakhapatnam dated 20.11.2020 (Served and received on 24.11.2020) as arbitrary, illegal, capricious, high handed, violate the fundamental rights guaranteed to the petitioner under Articles 14, 25 and the guarantee under Article 300-A of the Constitution of India, the Statutory provisions of the Hyderabad Municipal Corporation Act, 1955 as is made applicable to the Greater Visakhapatnam Municipal Corporation Act, the G.O. Ms. No. 56 of Municipal Administration and Urban Development (J1) Department of Government of Andhra Pradesh dated .05.02.2011 issued under the provisions of Andhra Pradesh Municipalities (Regulation of Receipts and Expenditure) Rules, 1968 exercising the powers conferred under Section 326 of the A.P. Municipalities Act, 1965 and the principles of natural justice and fair play and consequently direct the respondents herein not to interfere with Petitioner's peaceful physical possession and continuous enjoyment in respect of Shop No.09, Wholesale Vegetable Market, Gnanapuram, (Popularly Known as Convent Junction Market), Zone IV, Greater Visakhapatnam Municipal Corporation, Visakhapatnam in any manner whatsoever including the pretext of nonpayment of the amounts demanded under the impugned proceedings.

IA NO: 1 OF 2020 : Petition under Section 151 CPC praying that in the circumstances stated in the affidavit filed in W.P., the High Court may be pleased to grant STAY of all further proceedings pursuant to the Proceedings Rc.No.1700/2020/A7 dated 20.11.2020 (Served and received on 24.11.2020) of the Greater Visakhapatnam Municipal Corporation, Zone-IV, Visakhapatnam, the 2nd respondent herein through the 3rd respondent, including not to seal the premises Shop No.09, Wholesale Vegetable Market, Gnanapuram, (Popularly Known as Convent Junction Market), Zone IV, Greater Visakhapatnam Municipal Corporation, Visakhapatnam in any manner whatsoever including under the pretext of nonpayment of the amounts demanded under the impugned proceedings, pending disposal of WP 22875 of 2020, on the file of the High Court.

WRIT PETITION NO: 22879 OF 2020**Between:**

B. Surya Prakash, S/o.veera Raju Aged 63 years, Business R/o.Door No.20-17-3/2
Roseland Backside Velampeta Visakhapatnam.

Petitioner**AND**

1. State of Andhra Pradesh, rep. by its Principal Secretary, Municipal Administration and Urban Development, Secretariat Buildings, Amaravathi, Guntur District.
2. Greater Visakhapatnam Municipal Corporation, , Visakhapatnam, rep. by its Commissioner
3. The Zonal Commissioner , Zone-IV, Greater Visakhapatnam Municipal Corporation, Visakhapatnam.

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, order or direction more particularly one in the nature of WRIT OF MANDAMUS declaring the impugned action of the Visakhapatnam Municipal Corporation, the 2nd respondent herein, in issuing the Proceedings in Rc.No.1700/2020/A7 of Greater Visakhapatnam Municipal Corporation, Zone-IV, Visakhapatnam dated 20.11.2020 (Served and received on 24.11.2020) as arbitrary, illegal, capricious, high handed, violate the fundamental rights guaranteed to the petitioner under Articles 14, 25 and the guarantee under Article 300-A of the Constitution of India, the Statutory provisions of the Hyderabad Municipal Corporation Act, 1955 as is made applicable to the Greater Visakhapatnam Municipal Corporation Act, the G.O. Ms. No. 56 of Municipal Administration and Urban Development (J1) Department of Government of Andhra Pradesh dated 05.02.2011 issued under the provisions of Andhra Pradesh Municipalities (Regulation of Receipts and Expenditure) Rules, 1968 exercising the powers conferred under Section 326 of the A.P. Municipalities Act, 1965 and the principles of natural justice and fair play and consequently direct the respondents herein not to interfere with Petitioner's peaceful physical possession and continuous enjoyment in respect of Shop No.63, Wholesale Vegetable Market, Gnanapuram, (Popularly Known as Convent Junction Market), Zone IV, Greater Visakhapatnam Municipal Corporation, Visakhapatnam in any manner whatsoever including the pretext of nonpayment of the amounts demanded under the impugned proceedings.

IA NO: 1 OF 2020

Petition under Section 151 CPC praying that in the circumstances stated in the affidavit filed in W.P., the High Court may be pleased to grant STAY of all further proceedings pursuant to the Proceedings Rc.No.1700/2020/A7 dated 20.11.2020 (Served and received on 24.11.2020) of the Greater Visakhapatnam Municipal Corporation, Zone-IV, Visakhapatnam, the 2nd respondent herein through the 3rd respondent, including not to seal the premises Shop No.63, Wholesale Vegetable Market, Gnanapuram, (Popularly Known as Convent Junction Market), Zone IV, Greater Visakhapatnam Municipal Corporation, Visakhapatnam in any manner whatsoever including under the pretext of nonpayment of the amounts demanded under the impugned proceedings, pending disposal of WP 22879 of 2020, on the file of the High Court.

WRIT PETITION NO: 22882 OF 2020**Between:**

Ch.Srinivasa Rao, S/o.Ch.Appa Rao Aged 39 years, Business R/o Flat No.103, Ganga Vihar Apartments Door No.49-4-5 Akkayapalem Visakhapatnam

Petitioner**AND**

1. State of Andhra Pradesh, rep. by its Principal Secretary, Municipal Administration and Urban Development, Secretariat Buildings, Amaravathi, Guntur District.
2. Greater Visakhapatnam Municipal Corporation , Visakhapatnam, rep. by its Commissioner
3. The Zonal Commissioner, Zone-IV, Greater Visakhapatnam Municipal Corporation, Visakhapatnam.

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, order or direction more particularly one in the nature of WRIT OF MANDAMUS declaring the impugned action of the Visakhapatnam Municipal Corporation, the 2nd respondent herein, in issuing the Proceedings in Rc.No.1700/2020/A7 of Greater Visakhapatnam Municipal Corporation, Zone-IV, Visakhapatnam dated 20.11.2020 (Served and received on 24.11.2020) as arbitrary, illegal, capricious, high handed, violate the fundamental rights guaranteed to the petitioner under Articles 14, 25 and the guarantee under Article 300-A of the Constitution of India, the Statutory provisions of the Hyderabad Municipal Corporation Act, 1955 as is made applicable to the Greater Visakhapatnam Municipal Corporation Act, the G.O. Ms. No. 56 of Municipal Administration and Urban Development (J1) Department of Government of Andhra Pradesh dated 05.02.2011 issued under the provisions of Andhra Pradesh Municipalities (Regulation of Receipts and Expenditure) Rules, 1968 exercising the powers conferred under Section 326 of the A.P. Municipalities Act, 1965 and the principles of natural justice and fair play and consequently direct the respondents herein not to interfere with Petitioner's peaceful physical possession and continuous enjoyment in respect of Shop No.39, Wholesale Vegetable Market, Gnanapuram, (Popularly Known as Convent Junction Market), Zone IV, Greater Visakhapatnam Municipal Corporation, Visakhapatnam in any manner whatsoever including the pretext of nonpayment of the amounts demanded under the impugned proceedings.

IA NO: 1 OF 2020

Petition under Section 151 CPC praying that in the circumstances stated in the affidavit filed in W.P., the High Court may be pleased to grant STAY of all further proceedings pursuant to the Proceedings Rc.No.1700/2020/A7 dated 20.11.2020 (Served and received on 24.11.2020) of the Greater Visakhapatnam Municipal Corporation, Zone-IV, Visakhapatnam, the 2nd respondent herein through the 3rd respondent, including not to seal the premises Shop No.39, Wholesale Vegetable Market, Gnanapuram, (Popularly Known as Convent Junction Market), Zone IV, Greater Visakhapatnam Municipal Corporation, Visakhapatnam in any manner whatsoever including under the pretext of nonpayment of the amounts demanded under the impugned proceedings, pending disposal of WP 22882 of 2020, on the file of the High Court.

WRIT PETITION NO: 22885 OF 2020

Between:

S. Naidu, S/o Late Govindu Aged 44 years R/o Door No.5-51 Srimaknta Nilayam Purushothapuram Sujatha Nagar Post Visakhapatnam

Petitioner

AND

1. State of Andhra Pradesh, rep. by its Principal Secretary, Municipal Administration and Urban Development, Secretariat Buildings, Amaravathi, Guntur District.
2. Greater Visakhapatnam Municipal Corporation , Visakhapatnam, rep. by its Commissioner
3. The Zonal Commissioner , Zone-IV, Greater Visakhapatnam Municipal Corporation, Visakhapatnam.

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, order or direction more particularly one in the nature of WRIT OF MANDAMUS declaring the impugned action of the Visakhapatnam Municipal Corporation, the 2nd respondent herein, in issuing the Proceedings in Rc.No.1700/2020/A7 of Greater Visakhapatnam Municipal Corporation, Zone-IV, Visakhapatnam dated 20.11.2020 (Served and received on 24.11.2020) as arbitrary, illegal, capricious, high handed, violate the fundamental rights guaranteed to the petitioner under Articles 14, 25 and the guarantee under Article 300-A of the Constitution of India, the Statutory provisions of the Hyderabad Municipal Corporation Act, 1955 as is made applicable to the Greater Visakhapatnam Municipal Corporation Act, the G.O. Ms. No. 56 of Municipal Administration and Urban Development (J1) Department of Government of Andhra Pradesh dated 05.02.2011 issued under the provisions of Andhra Pradesh Municipalities (Regulation of Receipts and Expenditure) Rules, 1968 exercising the powers conferred under Section 326 of the A.P. Municipalities Act, 1965 and the principles of natural justice and fair play and consequently direct the respondents herein not to interfere with Petitioner's peaceful physical possession and continuous enjoyment in respect of Shop No.15, Wholesale Vegetable Market, Gnanapuram, (Popularly Known as Convent Junction Market), Zone IV, Greater Visakhapatnam Municipal Corporation, Visakhapatnam in any manner whatsoever including the pretext of nonpayment of the amounts demanded under the impugned proceedings.

IA NO: 1 OF 2020 : Petition under Section 151 CPC praying that in the circumstances stated in the affidavit filed in W.P., the High Court may be pleased to grant STAY of all further proceedings pursuant to the Proceedings Rc.No.1700/2020/A7 dated 20.11.2020 (Served and received on 24.11.2020) of the Greater Visakhapatnam Municipal Corporation, Zone-IV, Visakhapatnam, the 2nd respondent herein through the 3rd respondent, including not to seal the premises Shop No.15, Wholesale Vegetable Market, Gnanapuram, (Popularly Known as Convent Junction Market), Zone IV, Greater Visakhapatnam Municipal Corporation, Visakhapatnam in any manner whatsoever including under the pretext of nonpayment of the amounts demanded under the impugned proceedings, pending disposal of WP 22885 of 2020, on the file of the High Court.

WRIT PETITION NO: 22893 OF 2020

Between:

Palem Satyanarayana, S/o. Late Chander Rao Aged 51 years R/o.39-5-4/3 Plot No.133, Murali Nagar Visakhapatnam.

Petitioner

AND

1. State of Andhra Pradesh, rep. by its Principal Secretary, Municipal Administration and Urban Development, Secretariat Buildings, Amaravathi, Guntur District.
2. Greater Visakhapatnam Municipal Corporation, Visakhapatnam, rep. by its Commissioner
3. The Zonal Commissioner, Zone-IV, Greater Visakhapatnam Municipal Corporation, Visakhapatnam.

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, order or direction more particularly one in the nature of WRIT OF MANDAMUS declaring the impugned action of the Visakhapatnam Municipal Corporation, the 2nd respondent herein, in issuing the Proceedings in Rc.No.1700/2020/A7 of Greater Visakhapatnam Municipal Corporation, Zone-IV, Visakhapatnam dated 20.11.2020 (Served and received on 24.11.2020) as arbitrary, illegal, capricious, high handed, violate the fundamental rights guaranteed to the petitioner under Articles 14, 25 and the guarantee under Article 300-A of the Constitution of India, the Statutory provisions of the Hyderabad Municipal Corporation Act, 1955 as is made applicable to the Greater Visakhapatnam Municipal Corporation Act, the G.O. Ms. No. 56 of Municipal Administration and Urban Development (J1)

Department of Government of Andhra Pradesh dated 05.02.2011 issued under the provisions of Andhra Pradesh Municipalities (Regulation of Receipts and Expenditure) Rules, 1968 exercising the powers conferred under Section 326 of the A.P. Municipalities Act, 1965 and the principles of natural justice and fair play and consequently direct the respondents herein not to interfere with Petitioner's peaceful physical possession and continuous enjoyment in respect of Shop No.36, Wholesale Vegetable Market, Gnanapuram, (Popularly Known as Convent Junction Market), Zone IV, Greater Visakhapatnam Municipal Corporation, Visakhapatnam in any manner whatsoever including the pretext of nonpayment of the amounts demanded under the impugned proceedings.

IA NO: 1 OF 2020

Petition under Section 151 CPC praying that in the circumstances stated in the affidavit filed in W.P., the High Court may be pleased to grant STAY of all further proceedings pursuant to the Proceedings Rc.No.1700/2020/A7 dated 20.11.2020 (Served and received on 24.11.2020) of the Greater Visakhapatnam Municipal Corporation, Zone-IV, Visakhapatnam, the 2nd respondent herein through the 3rd respondent, including not to seal the premises Shop No.36, Wholesale Vegetable Market, Gnanapuram, (Popularly Known as Convent Junction Market), Zone IV, Greater Visakhapatnam Municipal Corporation, Visakhapatnam in any manner whatsoever including under the pretext of nonpayment of the amounts demanded under the impugned proceedings, pending disposal of WP 22893 of 2020, on the file of the High Court.

WRIT PETITION NO: 22894 OF 2020

Between:

K. Srinivasa Rao, S/o Late K.Satyanarayana Aged 50 years R/o Door No.39-5-15 Murali Nagar East Industrial Estate Visakhapatnam

Petitioner

AND

1. State of Andhra Pradesh, rep. by its Principal Secretary, Municipal Administration and Urban Development, Secretariat Buildings, Amaravathi, Guntur District.
2. Greater Visakhapatnam Municipal Corporation, Visakhapatnam, rep. by its Commissioner
3. The Zonal Commissioner, Zone-IV, Greater Visakhapatnam Municipal Corporation, Visakhapatnam

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, order or direction more particularly one in the nature of WRIT OF MANDAMUS declaring the impugned action of the Visakhapatnam Municipal Corporation, the 2nd respondent herein, in issuing the Proceedings in Rc.No.1700/2020/A7 of Greater Visakhapatnam Municipal Corporation, Zone-IV, Visakhapatnam dated 20.11.2020 (Served and received on 24.11.2020) as arbitrary, illegal, capricious, high handed, violate the fundamental rights guaranteed to the petitioner under Articles 14, 25 and the guarantee under Article 300-A of the Constitution of India, the Statutory provisions of the Hyderabad Municipal Corporation Act, 1955 as is made applicable to the Greater Visakhapatnam Municipal Corporation Act, the G.O. Ms. No. 56 of Municipal Administration and Urban Development (J1) Department of Government of Andhra Pradesh dated 05.02.2011 issued under the provisions of Andhra Pradesh Municipalities (Regulation of Receipts and Expenditure) Rules, 1968 exercising the powers conferred under Section 326 of the A.P. Municipalities Act, 1965 and the principles of natural justice and fair play and consequently direct the respondents herein not to interfere with Petitioner's peaceful physical possession and continuous enjoyment in respect of Shop No.10, Wholesale Vegetable Market, Gnanapuram, (Popularly Known as Convent Junction Market), Zone

IV, Greater Visakhapatnam Municipal Corporation, Visakhapatnam in any manner whatsoever including the pretext of nonpayment of the amounts demanded under the impugned proceedings.

IA NO: 1 OF 2020 :Petition under Section 151 CPC praying that in the circumstances stated in the affidavit filed in W.P., the High Court may be pleased to grant STAY of all further proceedings pursuant to the Proceedings Rc.No.1700/2020/A7 dated 20.11.2020 (Served and received on 24.11.2020) of the Greater Visakhapatnam Municipal Corporation, Zone-IV, Visakhapatnam, the 2nd respondent herein through the 3rd respondent, including not to seal the premises Shop No.10, Wholesale Vegetable Market, Gnanapuram, (Popularly Known as Convent Junction Market), Zone IV, Greater Visakhapatnam Municipal Corporation, Visakhapatnam in any manner whatsoever including under the pretext of nonpayment of the amounts demanded under the impugned proceedings, pending disposal of WP 22894 of 2020, on the file of the High Court.

WRIT PETITION NO: 22895 OF 2020

Between:

New Vegetable Wholesale Merchants, Association Market Canteen Rep.by its Secretary K.Veera Raju,S/o.Sri K.Jagga Rao 58 years, Gnanapuram Convent Junction Visakhapatnam

Petitioner

AND

1. State of Andhra Pradesh, rep. by its Principal Secretary, Municipal Administration and Urban Development, Secretariat Buildings, Amaravathi, Guntur District.
2. Greater Visakhapatnam Municipal Corporation , Visakhapatnam, rep. by its Commissioner
3. The Zonal Commissioner , Zone-IV, Greater Visakhapatnam Municipal Corporation, Visakhapatnam.

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, order or direction more particularly one in the nature of WRIT OF MANDAMUS declaring the impugned action of the Visakhapatnam Municipal Corporation, the 2nd respondent herein, in issuing the Proceedings in Rc.No.1700/2020/A7 of Greater Visakhapatnam Municipal Corporation, Zone-IV, Visakhapatnam dated 20.11.2020 (Served and received on 24.11.2020) as arbitrary, illegal, capricious, high handed, violate the fundamental rights guaranteed to the petitioner under Articles 14, 25 and the guarantee under Article 300-A of the Constitution of India, the Statutory provisions of the Hyderabad Municipal Corporation Act, 1955 as is made applicable to the Greater Visakhapatnam Municipal Corporation Act, the G.O. Ms. No. 56 of Municipal Administration and Urban Development (J1) Department of Government of Andhra Pradesh dated 05.02.2011 issued under the provisions of Andhra Pradesh Municipalities (Regulation of Receipts and Expenditure) Rules, 1968 exercising the powers conferred under Section 326 of the A.P. Municipalities Act, 1965 and the principles of natural justice and fair play and consequently direct the respondents herein not to interfere with petitioner peaceful physical possession and continuous enjoyment in respect of the Canteen of the Petitioner Association situated at Wholesale Vegetable Market, Gnanapuram, (Popularly Known as Convent Junction Market), Zone IV, Greater Visakhapatnam Municipal Corporation, Visakhapatnam in any manner whatsoever including the pretext of nonpayment of the amounts demanded under the impugned proceedings.

IA NO: 1 OF 2020

Petition under Section 151 CPC praying that in the circumstances stated in the affidavit filed in W.P., the High Court may be pleased to grant STAY of all further proceedings pursuant to the Proceedings Rc.No.1700/2020/A7 dated 20.11.2020 (Served and received on 24.11.2020) of the Greater Visakhapatnam Municipal Corporation, Zone-IV, Visakhapatnam, the 2nd respondent herein through the 3rd respondent, including not to seal the Canteen of the Petitioner Association situated at Wholesale Vegetable Market, Gnanapuram, (Popularly Known as Convent Junction

Market), Zone IV, Greater Visakhapatnam Municipal Corporation, Visakhapatnam in any manner whatsoever including the pretext of nonpayment of the amounts demanded under the impugned proceedings and pass, Pending disposal of WP 22895 of 2020, on the file of the High Court.

WRIT PETITION NO: 22911 OF 2020

Between:

M. Aadhi Sudheer, S/o.M.V.Chinna Rao R/o.Door No.36-94-334/3 Ramjee Estate
Kancherlapalem Visakhapatnam

Petitioner

AND

1. State of Andhra Pradesh, rep. by its Principal Secretary, Municipal Administration and Urban Development Secretariat Buildings, Amaravathi, Guntur District
2. Greater Visakhapatnam Municipal Corporation, Visakhapatnam, rep. by its Commissioner
3. The Zonal Commissioner, Zone-IV, Greater Visakhapatnam Municipal Corporation, Visakhapatnam.

Respondent

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 WRIT OF MANDAMUS declaring the impugned action of the Visakhapatnam Municipal Corporation, the 2nd respondent herein, in issuing the Proceedings in Rc.No.1700/2020/A7 of Greater Visakhapatnam Municipal Corporation, Zone-IV, Visakhapatnam (Served and received on 24.11.2020) as arbitrary, illegal, capricious, high handed, violate the fundamental rights guaranteed to the petitioner under Articles 14, 25 and the guarantee under Article 300-A of the Constitution of India, the Statutory provisions of the Hyderabad Municipal Corporation Act, 1955 as is made applicable to the Greater Visakhapatnam Municipal Corporation Act, the G.O. Ms. No. 56 of Municipal Administration and Urban Development (J1) Department of Government of Andhra Pradesh dated 05.02.2011 issued under the provisions of Andhra Pradesh Municipalities (Regulation of Receipts and Expenditure) Rules, 1968 exercising the powers conferred under Section 326 of the A.P. Municipalities Act, 1965 and the principles of natural justice and fair play and consequently direct the respondents herein not to interfere with Petitioner's peaceful physical possession and continuous enjoyment in respect of Shop No.51, Wholesale Vegetable Market, Gnanapuram, (Popularly Known as Convent Junction Market), Zone IV, Greater Visakhapatnam Municipal Corporation, Visakhapatnam in any manner whatsoever including the pretext of nonpayment of the amounts demanded under the impugned proceedings.

IA NO: 1 OF 2020

Petition under Section 151 CPC praying that in the circumstances stated in the affidavit filed in W.P., the High Court may be pleased to grant STAY of all further proceedings pursuant to the Proceedings Rc.No.1700/2020/A7 dated 20.11.2020 (Served and received on 24.11.2020) of the Greater Visakhapatnam Municipal Corporation, Zone-IV, Visakhapatnam, the 2nd respondent herein through the 3rd respondent, including not to seal the premises Shop No.51, Wholesale Vegetable Market, Gnanapuram, (Popularly Known as Convent Junction Market), Zone IV, Greater Visakhapatnam Municipal Corporation, Visakhapatnam in any manner whatsoever including under the pretext of nonpayment of the amounts demanded under the impugned proceedings, pending disposal of WP 22911 of 2020, on the file of the High Court.

WRIT PETITION NO: 22914 OF 2020

Between:

K Prasad, S/o.late Mahalakshmi Naidu 45 years R/o 49-16-3, Lalitha Nagar
Gopalapatnam Visakhapatnam

Petitioner

AND

1. State of Andhra Pradesh, rep. by its Principal Secretary, Municipal Administration Urban Development, Secretariat Buildings, Amaravathi, Guntur District.
2. Greater Visakhapatnam Municipal Corporation, Visakhapatnam, rep. by its Commissioner
3. The Zonal Commissioner, Zone-IV, Greater Visakhapatnam Municipal Corporation, Visakhapatnam.

Respondent

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 WRIT OF MANDAMUS declaring the impugned action of the Visakhapatnam Municipal Corporation, the 2nd respondent herein, in issuing the Proceedings in Rc.No.1700/2020/A7 of Greater Visakhapatnam Municipal Corporation, Zone-IV, Visakhapatnam dated 20.11.2020 (Served and received on 24.11.2020) as arbitrary, illegal, capricious, high handed, violate the fundamental rights guaranteed to the petitioner under Articles 14, 25 and the guarantee under Article 300-A of the Constitution of India, the Statutory provisions of the Hyderabad Municipal Corporation Act, 1955 as is made applicable to the Greater Visakhapatnam Municipal Corporation Act, the G.O. Ms. No. 56 of Municipal Administration and Urban Development (J1) Department of Government of Andhra Pradesh dated 05.02.2011 issued under the provisions of Andhra Pradesh Municipalities (Regulation of Receipts and Expenditure) Rules, 1968 exercising the powers conferred under Section 326 of the A.P. Municipalities Act, 1965 and the principles of natural justice and fair play and consequently direct the respondents herein not to interfere with petitioner's peaceful physical possession and continuous enjoyment in respect of Shop No.13, Wholesale Vegetable Market, Gnanapuram, (Popularly Known as Convent Junction Market), Zone IV, Greater Visakhapatnam Municipal Corporation, Visakhapatnam in any manner whatsoever including the pretext of nonpayment of the amounts demanded under the impugned proceedings.

IA NO: 1 OF 2020

Petition under Section 151 CPC praying that in the circumstances stated in the affidavit filed in W.P., the High Court may be pleased to grant stay of all further proceedings pursuant to the Proceedings Rc.No.1700/2020/A7 dated 20.11.2020 (Served and received on 24.11.2020) of the Greater Visakhapatnam Municipal Corporation, Zone-IV, Visakhapatnam, the 2nd respondent herein through the 3rd respondent, including not to seal the premises Shop No. 13, Wholesale Vegetable Market, Gnanapuram, (Popularly Known as Convent Junction Market), Zone IV, Greater Visakhapatnam Municipal Corporation, Visakhapatnam in any manner whatsoever including under the pretext of non payment of the amounts demanded under the impugned proceedings, pending disposal of WP 22914 of 2020, on the file of the High Court.

WRIT PETITION NO: 22920 OF 2020**Between:**

V Parameswara Rao, S/o. Manikyala Rao Aged 43 years R/o.8-42-16, Chinna Waltair Visakhapatnam.

Petitioner**AND**

1. State of Andhra Pradesh, rep. by its Principal Secretary, Municipal Administration and Urban Development, Secretariat Buildings, Amaravathi, Guntur District.
2. Greater Visakhapatnam Municipal, Corporation, Visakhapatnam, rep. by its Commissioner
3. The Zonal Commissioner, Zone-IV, Greater Visakhapatnam Municipal Corporation, Visakhapatnam.

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, order or direction more particularly one in the nature of WRIT OF MANDAMUS declaring the impugned action of the Visakhapatnam Municipal Corporation, the 2nd respondent herein, in issuing the Proceedings in Rc.No.1700/2020/A7 of Greater Visakhapatnam Municipal Corporation, Zone-IV, Visakhapatnam dated 20.11.2020 (Served and received on 24.11.2020) as arbitrary, illegal, capricious, high handed, violate the fundamental rights guaranteed to the petitioner under Articles 14, 25 and the guarantee under Article 300-A of the Constitution of India, the Statutory provisions of the Hyderabad Municipal Corporation Act, 1955 as is made applicable to the Greater Visakhapatnam Municipal Corporation Act, the G.O. Ms. No. 56 of Municipal Administration and Urban Development (J1) Department of Government of Andhra Pradesh dated 05.02.2011 issued under the provisions of Andhra Pradesh Municipalities (Regulation of Receipts and Expenditure) Rules, 1968 exercising the powers conferred under Section 326 of the A.P. Municipalities Act, 1965 and the principles of natural justice and fair play and consequently direct the respondents herein not to interfere with petitioner's peaceful physical possession and continuous enjoyment in respect of Shop No.43, Wholesale Vegetable Market, Gnanapuram, (Popularly Known as Convent Junction Market), Zone IV, Greater Visakhapatnam Municipal Corporation, Visakhapatnam in any manner whatsoever including the pretext of nonpayment of the amounts demanded under the impugned proceedings.

IA NO: 1 OF 2020

Petition under Section 151 CPC praying that in the circumstances stated in the affidavit filed in W.P., the High Court may be pleased to grant stay of all further proceedings pursuant to the Proceedings Rc.No.1700/2020/A7 dated 20.11.2020 (Served and received on 24.11.2020) of the Greater Visakhapatnam Municipal Corporation, Zone-IV, Visakhapatnam, the 2nd respondent herein through the 3rd respondent, including not to seal the premises Shop No.43, Wholesale Vegetable Market, Gnanapuram, (Popularly Known as Convent Junction Market), Zone IV, Greater Visakhapatnam Municipal Corporation, Visakhapatnam in any manner whatsoever including under the pretext of non payment of the amounts demanded under the impugned proceedings, pending disposal of WP 22920 of 2020, on the file of the High Court.

WRIT PETITION NO: 22941 OF 2020

Between:

N. Thimmayya, S/o.Seethayya Aged 56 years, Business R/o.D.No.26-7-2/ 1, Panda Street Opp.Satyanarayana Theater Visakhapatnam.

Petitioner

AND

1. State of Andhra Pradesh, rep. by its Principal Secretary, Municipal Administration and Urban Development, Secretariat Buildings, Amaravathi, Guntur District.
2. Greater Visakhapatnam Municipal Corporation , Visakhapatnam, rep. by its Commissioner
3. The Zonal Commissioner, Zone-IV, Greater Visakhapatnam Municipal Corporation, Visakhapatnam.

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, order or direction more particularly one in the nature of WRIT OF MANDAMUS declaring the impugned action of the Visakhapatnam Municipal Corporation, the 2nd respondent herein, in issuing the Proceedings in Rc.No.1700/2020/A7 of Greater Visakhapatnam Municipal Corporation, Zone-IV, Visakhapatnam dated 20.11.2020 (Served and received on 24.11.2020) as arbitrary, illegal, capricious, high handed, violate the fundamental rights guaranteed to the petitioner under Articles 14, 25 and the guarantee under Article 300-A of the Constitution of India, the Statutory provisions of the Hyderabad Municipal Corporation Act, 1955 as is made applicable to the Greater Visakhapatnam Municipal Corporation

Act, the G.O. Ms. No. 56 of Municipal Administration and Urban Development (J1) Department of Government of Andhra Pradesh dated 05.02.2011 issued under the provisions of Andhra Pradesh Municipalities (Regulation of Receipts and Expenditure) Rules, 1968 exercising the powers conferred under Section 326 of the A.P. Municipalities Act, 1965 and the principles of natural justice and fair play and consequently direct the respondents herein not to interfere with petitioner's peaceful physical possession and continuous enjoyment in respect of Shop No.42, Wholesale Vegetable Market, Gnanapuram, (Popularly Known as Convent Junction Market), Zone IV, Greater Visakhapatnam Municipal Corporation, Visakhapatnam in any manner whatsoever including the pretext of nonpayment of the amounts demanded under the impugned proceedings.

IA NO: 1 OF 2020

Petition under Section 151 CPC praying that in the circumstances stated in the affidavit filed in W.P., the High Court may be pleased to grant STAY of all further proceedings pursuant to the Proceedings Rc.No.1700/2020/A7 dated 20.11.2020 (Served and received on 24.11.2020) of the Greater Visakhapatnam Municipal Corporation, Zone-IV, Visakhapatnam, the 2nd respondent herein through the 3rd respondent, including not to seal the premises Shop No.42, Wholesale Vegetable Market, Gnanapuram, (Popularly Known as Convent Junction Market), Zone IV, Greater Visakhapatnam Municipal Corporation, Visakhapatnam in any manner whatsoever including under the pretext of nonpayment of the amounts demanded under the impugned proceedings, pending disposal of WP 22941 of 2020, on the file of the High Court.

WRIT PETITION NO: 22952 OF 2020

Between:

~~P. Srinivas Rao~~ P.Srinivas Rao S/o. Late P.Satyanarayana R/o.37-12-54/6/2, NGOs Colony Murali Nagar, Visakhapatnam

Petitioner

AND

1. State of Andhra Pradesh, rep. by its Principal Secretary, Municipal Administration and Urban Development
2. Greater Visakhapatnam Municipal Corporation, Visakhapatnam, rep. by its Commissioner
3. The Zonal Commissioner, Zone - IV, Greater Visakhapatnam Municipal Corporation, Visakhapatnam.

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, order or direction more particularly one in the nature of WRIT OF MANDAMUS declaring the impugned action of the Visakhapatnam Municipal Corporation, the 2nd respondent herein, in issuing the Proceedings in Rc.No.1700/2020/A7 of Greater Visakhapatnam Municipal Corporation, Zone-IV, Visakhapatnam dated 20.11.2020 (Served and received on 24.11.2020) as arbitrary, illegal, capricious, high handed, violate the fundamental rights guaranteed to the petitioner under Articles 14, 25 and the guarantee under Article 300-A of the Constitution of India, the Statutory provisions of the Hyderabad Municipal Corporation Act, 1955 as is made applicable to the Greater Visakhapatnam Municipal Corporation Act, the G.O. Ms. No. 56 of Municipal Administration and Urban Development (J1) Department of Government of Andhra Pradesh dated 05.02.2011 issued under the provisions of Andhra Pradesh Municipalities (Regulation of Receipts and Expenditure) Rules, 1968 exercising the powers conferred under Section 326 of the A.P. Municipalities Act, 1965 and the principles of natural justice and fair play and consequently direct the respondents herein not to interfere with petitioner's peaceful physical possession and continuous enjoyment in respect of Shop No.35, Wholesale Vegetable Market, Gnanapuram, (Popularly Known as Convent Junction Market), Zone IV, Greater Visakhapatnam Municipal Corporation, Visakhapatnam in any manner whatsoever including the pretext of nonpayment of the amounts demanded under the impugned proceedings.

IA NO: 1 OF 2020

Petition under Section 151 CPC praying that in the circumstances stated in the affidavit filed in W.P., the High Court may be pleased to grant stay of all further proceedings pursuant to the Proceedings Rc.No.1700/2020/A7 dated 20.11.2020 (Served and received on 24.11.2020) of the Greater Visakhapatnam Municipal Corporation, Zone-IV, Visakhapatnam, the 2nd respondent herein through the 3rd respondent, including not to seal the premises Shop No.35, Wholesale Vegetable Market, Gnanapuram, (Popularly Known as Convent Junction Market), Zone IV, Greater Visakhapatnam Municipal Corporation, Visakhapatnam in any manner whatsoever including under the pretext of non payment of the amounts demanded under the impugned proceedings, pending disposal of WP 22952 of 2020, on the file of the High Court.

WRIT PETITION NO: 22965 OF 2020**Between:**

B. Prasada Rao S/o. Narayana Rao Aged 76 years, Business R/o.Door No.45-47-45
M.A.Residency Madeti Gardenrs 80 Feet Road, Akkayapalem Visakhapatnam.

Petitioner**AND**

1. State of Andhra Pradesh, rep. by its Principal Secretary, Municipal Administration and Urban Development, Secretariat Buildings, Amaravathi, Guntur District.
2. Greater Visakhapatnam Municipal Corporation , Visakhapatnam, rep. by its Commissioner
3. The Zonal Commissioner, Zone-IV, Greater Visakhapatnam Municipal Corporation, Visakhapatnam.

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, order or direction more particularly one in the nature of WRIT OF MANDAMUS declaring the impugned action of the Visakhapatnam. Municipal Corporation, the 2nd respondent herein, in issuing the Proceedings in Rc.No.1700/2020/A7 of Greater Visakhapatnam Municipal Corporation, Zone-IV, Visakhapatnam dated 20.11.2020 (Served and received on 24.11.2020) as arbitrary, illegal, capricious, high handed, violate the fundamental rights guaranteed to the petitioner under Articles 14, 25 and the guarantee under Article 300-A of the Constitution of India, the Statutory provisions of the Hyderabad Municipal Corporation Act, 1955 as is made applicable to the Greater Visakhapatnam Municipal Corporation Act, the G.O. Ms. No. 56 of Municipal Administration and Urban Development (J1) Department of Government of Andhra Pradesh dated 05.02.2011 issued under the provisions of Andhra Pradesh Municipalities (Regulation of Receipts and Expenditure) Rules, 1968 exercising the powers conferred under Section 326 of the A.P. Municipalities Act, 1965 and the principles of natural justice and fair play and consequently direct the respondents herein not to interfere with petitioner's peaceful physical possession and continuous enjoyment in respect of Shop No.58, Wholesale Vegetable Market, Gnanapuram, (Popularly Known as Convent Junction Market), Zone IV, Greater Visakhapatnam Municipal Corporation, Visakhapatnam in any manner whatsoever including the pretext of nonpayment of the amounts demanded under the impugned proceedings.

IA NO: 1 OF 2020 Petition under Section 151 CPC praying that in the circumstances stated in the affidavit filed herein, the High Court may be pleased to grant STAY of all further proceedings pursuant to the Proceedings Rc.No.1700/2020/A7 dated 20.11.2020 (Served and received on 24.11.2020) of the Greater Visakhapatnam Municipal Corporation, Zone-IV, Visakhapatnam, the 2nd respondent herein through the 3rd respondent, including not to seal the premises Shop No.58, Wholesale Vegetable Market, Gnanapuram, (Popularly Known as Convent Junction Market), Zone IV, Greater Visakhapatnam Municipal Corporation, Visakhapatnam in any manner whatsoever including under the pretext of nonpayment of the amounts demanded under the impugned proceedings, pending disposal of WP 22965 of 2020, on the file of the High Court.

WRIT PETITION NO: 23006 OF 2020**Between:**

Palem Satyanarayana, S/o.. Late Chander Rao Aged 51 years R/o.39-5-4/3 Plot No.133, Murali Nagar Visakhapatnam.

Petitioner**AND**

1. State of Andhra Pradesh, rep. by its Principal Secretary, Municipal Administration and Urban Development, Secretariat Buildings, Amaravathi, Guntur District.
2. Greater Visakhapatnam Municipal Corporation , Visakhapatnam, rep. by its Commissioner
3. The Zonal Commissioner, Zone-IV, Greater Visakhapatnam Municipal Corporation, Visakhapatnam.

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, order or direction more particularly one in the nature of WRIT OF MANDAMUS declaring the impugned action of the Visakhapatnam Municipal Corporation, the 2nd respondent herein, in issuing the Proceedings in Rc.No.1700/2020/A7 of Greater Visakhapatnam Municipal Corporation, Zone-IV, Visakhapatnam dated 20.11.2020 (Served and received on 24.11.2020) as arbitrary, illegal, capricious, high handed, violate the fundamental rights guaranteed to the petitioner under Articles 14, 25 and the guarantee under Article 300-A of the Constitution of India, the Statutory provisions of the Hyderabad Municipal Corporation Act, 1955 as is made applicable to the Greater Visakhapatnam Municipal Corporation Act, the G.O. Ms. No. 56 of Municipal Administration and Urban Development (J1) Department of Government of Andhra Pradesh dated 05.02.2011 issued under the provisions of Andhra Pradesh Municipalities (Regulation of Receipts and Expenditure) Rules, 1968 exercising the powers conferred under Section 326 of the A.P. Municipalities Act, 1965 and the principles of natural justice and fair play and consequently direct the respondents herein not to interfere with petitioner's peaceful physical possession and continuous enjoyment in respect of Shop No.36, Wholesale Vegetable Market, Gnanapuram, (Popularly Known as Convent Junction Market), Zone IV, Greater Visakhapatnam Municipal Corporation, Visakhapatnam in any manner whatsoever including the pretext of nonpayment of the amounts demanded under the impugned proceedings.

IA NO: 1 OF 2020

Petition under Section 151 CPC praying that in the circumstances stated in the affidavit filed in W.P., the High Court may be pleased to grant STAY of all further proceedings pursuant to the Proceedings Rc.No.1700/2020/A7 dated 20.11.2020 (Served and received on 24.11.2020) of the Greater Visakhapatnam Municipal Corporation, Zone-IV, Visakhapatnam, the 2nd respondent herein through the 3rd respondent, including not to seal the premises Shop No.36, Wholesale Vegetable Market, Gnanapuram, (Popularly Known as Convent Junction Market), Zone IV, Greater Visakhapatnam Municipal Corporation, Visakhapatnam in any manner whatsoever including under the pretext of nonpayment of the amounts demanded under the impugned proceedings, pending disposal of WP 23006 of 2020, on the file of the High Court.

WRIT PETITION No.23039 of 2020**Between:**

A Ramakrishna, S/o. Late A.Talupulu, Aged about 55 years, R/o.5-694, Old Dairy Farm, Visakhapatnam.

Petitioner**AND**

1. State of Andhra Pradesh, rep. by its Principal Secretary, Municipal Administration and Urban Development, Secretariat Buildings, Amaravathi, Guntur District.

2. Greater Visakhapatnam Municipal Corporation, Visakhapatnam, rep. by its Commissioner
3. The Zonal Commissioner, Zone-IV, Greater Visakhapatnam Municipal Corporation, Visakhapatnam.

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, order or direction more particularly one in the nature of WRIT OF MANDAMUS declaring the impugned action of the Visakhapatnam Municipal Corporation, the 2nd respondent herein, in issuing the Proceedings in Rc.No.1700/2020/A7 of Greater Visakhapatnam Municipal Corporation, Zone-IV, Visakhapatnam, dated 20.11.2020 (Served and received on 24.11.2020) as arbitrary, illegal, capricious, high handed, violate the fundamental rights guaranteed to the petitioner under Articles 14, 25 and the guarantee under Article 300-A of the Constitution of India, the Statutory provisions of the Hyderabad Municipal Corporation Act, 1955 as is made applicable to the Greater Visakhapatnam Municipal Corporation Act, as is made applicable to Greater Visakhapatnam Municipal Corporation Act, the G.O.Ms.No.56 of Municipal Administration and Urban Development (J1) Department of Government of Andhra Pradesh, dated 05.02.2011 issued under the provisions of Andhra Pradesh Municipalities (Regulation of Receipts and Expenditure) Rules, 1968 exercising the powers conferred under Section 326 of the A.P. Municipalities Act, 1965 and the principles of natural justice and fair play and consequently direct the respondents herein not to interfere with petitioner's peaceful physical possession and continuous enjoyment in respect of Shop No.29, Wholesale Vegetable Market, Gnanapuram, (Popularly Known as Convent Junction Market), Zone IV, Greater Visakhapatnam Municipal Corporation, Visakhapatnam in any manner whatsoever including the pretext of nonpayment of the amounts demanded under the impugned proceedings;

IA NO: 1 OF 2020

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 grant stay of all further proceedings pursuant to the Proceedings Rc.No.1700/2020/A7, dated 20.11.2020 (Served and received on 24.11.2020) of the Greater Visakhapatnam Municipal Corporation, Zone-IV, Visakhapatnam, the 2nd respondent herein through the 3rd respondent, including not to seal the premises Shop No.29, Wholesale Vegetable Market, Gnanapuram, (Popularly Known as Convent Junction Market), Zone IV, Greater Visakhapatnam Municipal Corporation, Visakhapatnam in any manner whatsoever including under the pretext of non payment of the amounts demanded under the impugned proceedings, pending disposal of the Writ Petition No.23039 of 2020, on the file of the High Court.

WRIT PETITION No.23047 of 2020

Between:

V.Rama Krishna, S/o. Late Venkataramana, Aged about 76 years, Business, R/o.Door No.18-6-30, Velamvari Street, Chinna Ramaswamy Temple, Gowrapalem, Anakapalli Visakhapatnam.

Petitioner

AND

1. State of Andhra Pradesh, rep. by its Principal Secretary, Municipal Administration and Urban Development, Secretariat Buildings, Amaravathi, Guntur District.
2. Greater Visakhapatnam Municipal Corporation, Visakhapatnam, rep. by its Commissioner
3. The Zonal Commissioner, Zone-IV, Greater Visakhapatnam Municipal Corporation, Visakhapatnam.

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, order or direction more particularly one in the nature of WRIT OF MANDAMUS declaring the impugned action of the Visakhapatnam Municipal Corporation, the 2nd respondent herein, in issuing the Proceedings in Rc.No.1700/2020/A7 of Greater Visakhapatnam Municipal Corporation, Zone-IV, Visakhapatnam, dated 20.11.2020 (Served and received on 24.11.2020) as arbitrary, illegal, capricious, high handed, violate the fundamental rights guaranteed to the petitioner under Articles 14, 25 and the guarantee under Article 300-A of the Constitution of India, the Statutory provisions of the Hyderabad Municipal Corporation Act, 1955 as is made applicable to the Greater Visakhapatnam Municipal Corporation Act, the G.O. Ms. No. 56 of Municipal Administration and Urban Development (J1) Department of Government of Andhra Pradesh, dated 05.02.2011 issued under the provisions of Andhra Pradesh Municipalities (Regulation of Receipts and Expenditure) Rules, 1968 exercising the powers conferred under Section 326 of the A.P. Municipalities Act, 1965 and the principles of natural justice and fair play and consequently direct the respondents herein not to interfere with petitioners peaceful physical possession and continuous enjoyment in respect of Shop No.49, Wholesale Vegetable Market, Gnanapuram, (Popularly Known as Convent Junction Market), Zone IV, Greater Visakhapatnam Municipal Corporation, Visakhapatnam in any manner whatsoever including the pretext of nonpayment of the amounts demanded under the impugned proceedings;

IA NO: 1 OF 2020

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 grant STAY of all further proceedings pursuant to the Proceedings Rc.No.1700/2020/A7 dated 20.11.2020 (Served and received on 24.11.2020) of the Greater Visakhapatnam Municipal Corporation, Zone-IV, Visakhapatnam, the 2nd respondent herein through the 3rd respondent, including not to seal the premises Shop No.49, Wholesale Vegetable Market, Gnanapuram, (Popularly Known as Convent Junction Market), Zone IV, Greater Visakhapatnam Municipal Corporation, Visakhapatnam in any manner whatsoever including under the pretext of nonpayment of the amounts demanded under the impugned proceedings, pending disposal of the Writ Petition No.23047 of 2020, on the file of the High Court.

WRIT PETITION No.23067 of 2020

Between:

M.V.Chinna Rao, S/o. Late Narayana, Aged about 51 years, R/o.Door No.36-94-334/3, Ramjee Estate, Kancherlapalem, Visakhapatnam.

Petitioner

AND

1. State of Andhra Pradesh, rep. by its Principal Secretary, Municipal Administration and Urban Development, Secretariat Buildings, Amaravathi, Guntur District.
2. Greater Visakhapatnam Municipal Corporation, Visakhapatnam, rep. by its Commissioner
3. The Zonal Commissioner, Zone-IV, Greater Visakhapatnam Municipal Corporation, Visakhapatnam.

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, order or direction more particularly one in the nature of WRIT OF MANDAMUS declaring the impugned action of the Visakhapatnam Municipal Corporation, the 2nd respondent herein, in issuing the Proceedings in Rc.No.1700/2020/A7 of Greater Visakhapatnam Municipal Corporation, Zone-IV, Visakhapatnam dated 20.11.2020 (Served and received on 24.11.2020) as arbitrary, illegal, capricious, high handed, violate the fundamental rights guaranteed to the petitioner under Articles 14, 25 and the guarantee under Article 300-A of the Constitution of India, the Statutory provisions of the Hyderabad Municipal Corporation Act, 1955 as is made applicable to the Greater Visakhapatnam Municipal Corporation Act, the G.O. Ms. No. 56 of Municipal Administration and Urban Development (J1) Department of Government of Andhra Pradesh dated 05.02.2011 issued

under the provisions of Andhra Pradesh Municipalities (Regulation of Receipts and Expenditure) Rules, 1968 exercising the powers conferred under Section 326 of the A.P. Municipalities Act, 1965 and the principles of natural justice and fair play and consequently direct the respondents herein not to interfere with petitioners peaceful physical possession and continuous enjoyment in respect of Shop No.50, Wholesale Vegetable Market, Gnanapuram, (Popularly Known as Convent Junction Market), Zone IV, Greater Visakhapatnam Municipal Corporation, Visakhapatnam in any manner whatsoever including the pretext of nonpayment of the amounts demanded under the impugned proceedings;

IA NO: 1 OF 2020

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 grant STAY of all further proceedings pursuant to the Proceedings Rc.No.1700/2020/A7 dated 20.11.2020 (Served and received on 24.11.2020) of the Greater Visakhapatnam Municipal Corporation, Zone-IV, Visakhapatnam, the 2nd respondent herein through the 3rd respondent, including not to seal the premises Shop No.50, Wholesale Vegetable Market, Gnanapuram, (Popularly Known as Convent Junction Market), Zone IV, Greater Visakhapatnam Municipal Corporation, Visakhapatnam in any manner whatsoever including under the pretext of nonpayment of the amounts demanded under the impugned proceedings, pending disposal of the Writ Petition No.23067 of 2020, on the file of the High Court.

WRIT PETITION No.23078 of 2020

Between:

L.Srinu Babu, S/o. Late Satyanarayana Murthy, Aged about 41 years, R/o.26-4-22, Poorna Market, Yellampeta, Visakhapatnam.

Petitioner

AND

1. State of Andhra Pradesh, rep. by its Principal Secretary, Municipal Administration and Urban Development, Secretariat Buildings, Amaravathi, Guntur District.
2. Greater Visakhapatnam Municipal Corporation, Visakhapatnam, rep. by its Commissioner
3. The Zonal Commissioner, Zone-IV, Greater Visakhapatnam Municipal Corporation, Visakhapatnam.

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, order or direction more particularly one in the nature of WRIT OF MANDAMUS declaring the impugned action of the Visakhapatnam Municipal Corporation, the 2nd respondent herein, in issuing the Proceedings in Re.No.1700/2020/A7 of Greater Visakhapatnam Municipal Corporation, Zone-IV, Visakhapatnam dated 20.11.2020 (Served and received on 24.11.2020) as arbitrary, illegal, capricious, high handed, violate the fundamental rights guaranteed to the petitioner under Articles 14, 25 and the guarantee under Article 300-A of the Constitution of India, the Statutory provisions of the Hyderabad Municipal Corporation Act, 1955 as is made applicable to the Greater Visakhapatnam Municipal Corporation Act, the G.O. Ms. No. 56 of Municipal Administration and Urban Development (J1) Department of Government of Andhra Pradesh dated 05.02.2011 issued under the provisions of Andhra Pradesh Municipalities (Regulation of Receipts and Expenditure) Rules, 1968 exercising the powers conferred under Section 326 of the A.P. Municipalities Act, 1965 and the principles of natural justice and fair play and consequently direct the respondents herein not to interfere with petitioners peaceful physical possession and continuous enjoyment in respect of Shop No.40, Wholesale Vegetable Market, Gnanapuram, (Popularly Known as Convent Junction Market), Zone IV, Greater Visakhapatnam Municipal Corporation, Visakhapatnam in any manner whatsoever including the pretext of nonpayment of the amounts demanded under the impugned proceedings;

IA NO: 1 OF 2020

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 grant stay of all further proceedings pursuant to the Proceedings Rc.No.1700/2020/A7 dated 20.11.2020 (Served and received on 24.11.2020) of the Greater Visakhapatnam Municipal Corporation, Zone-IV, Visakhapatnam, the 2nd respondent herein through the 3rd respondent, including not to seal the premises Shop No.40, Wholesale Vegetable Market, Gnanapuram, (Popularly Known as Convent Junction Market), Zone IV, Greater Visakhapatnam Municipal Corporation, Visakhapatnam in any manner whatsoever including under the pretext of non-payment of the amounts demanded under the impugned proceedings, pending disposal of the Writ Petition No.23078 of 2020, on the file of the High Court.

WRIT PETITION No.23116 of 2020

Between:

Mopidevi Ayyappa Swamy, S/o. Late Adi Vishnu, Aged 34 years, R/o.37-11-72/4, NGO's Colony, Visakhapatnam..

Petitioner

AND

1. State of Andhra Pradesh, rep. by its Principal Secretary, Municipal Administration and Urban Development, Secretariat Buildings, Amaravathi, Guntur District.
2. Greater Visakhapatnam Municipal Corporation, Visakhapatnam, rep. by its Commissioner
3. The Zonal Commissioner, Zone-IV, Greater Visakhapatnam Municipal Corporation, Visakhapatnam.

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, order or direction more particularly one in the nature of WRIT OF MANDAMUS declaring the impugned action of the Visakhapatnam Municipal Corporation, the 2nd respondent herein, in issuing the Proceedings in Rc.No.1700/2020/A7 of Greater Visakhapatnam Municipal Corporation, Zone-IV, Visakhapatnam dated 20.11.2020 (Served and received on 24.11.2020) as arbitrary, illegal, capricious, high handed, violate the fundamental rights guaranteed to the petitioner under Articles 14, 25 and the guarantee under Article 300-A of the Constitution of India, the Statutory provisions of the Hyderabad Municipal Corporation Act, 1955 as is made applicable to the Greater Visakhapatnam Municipal Corporation Act, the G.O. Ms. No. 56 of Municipal Administration and Urban Development (J1) Department of Government of Andhra Pradesh dated 05.02.2011 issued under the provisions of Andhra Pradesh Municipalities (Regulation of Receipts and Expenditure) Rules, 1968 exercising the powers conferred under Section 326 of the A.P. Municipalities Act, 1965 and the principles of natural justice and fair play and consequently direct the respondents herein not to interfere with petitioners peaceful physical possession and continuous enjoyment in respect of Shop No.32, Wholesale Vegetable Market, Gnanapuram, (Popularly Known as Convent Junction Market), Zone IV, Greater Visakhapatnam Municipal Corporation, Visakhapatnam in any manner whatsoever including the pretext of nonpayment of the amounts demanded under the impugned proceedings;

IA NO: 1 OF 2020

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 grant stay of all further proceedings pursuant to the Proceedings Rc.No.1700/2020/A7 dated 20.11.2020 (Served and received on 24.11.2020) of the Greater Visakhapatnam Municipal Corporation, Zone-IV, Visakhapatnam, the 2nd respondent herein through the 3rd respondent, including not to seal the premises Shop No.32, Wholesale Vegetable Market, Gnanapuram, (Popularly Known as Convent Junction Market), Zone IV, Greater Visakhapatnam Municipal Corporation, Visakhapatnam in any manner whatsoever including under the pretext of non-payment of the amounts demanded under the impugned proceedings, pending disposal of the Writ Petition No.23116 of 2020, on the file of the High Court.

WRIT PETITION NO: 23208 OF 2020**Between:**

S. Kanaka Raju, S/o. Simhachalam

Petitioner**AND**

1. State of Andhra Pradesh, rep. by its Principal Secretary, Municipal Administration and Urban Development, Secretariat Buildings, Amaravathi, Guntur District.
2. Greater Visakhapatnam Municipal Corporation, Visakhapatnam, rep. by its Commissioner
3. The Zonal Commissioner, Zone-IV, Greater Visakhapatnam Municipal Corporation, Visakhapatnam.

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, order or direction more particularly one in the nature of WRIT OF MANDAMUS declaring the impugned action of the Visakhapatnam Municipal Corporation, the 2nd respondent herein, in issuing the Proceedings in Rc.No.1700/2020/A7 of Greater Visakhapatnam Municipal Corporation, Zone-IV, Visakhapatnam dated 20.11.2020 (Served and received on 24.11.2020) as arbitrary, illegal, capricious, high handed, violate the fundamental rights guaranteed to the petitioner under Articles 14, 25 and the guarantee under Article 300-A of the Constitution of India, the Statutory provisions of the Hyderabad Municipal Corporation Act, 1955 as is made applicable to the Greater Visakhapatnam Municipal Corporation Act, the G.O. Ms. No. 56 of Municipal Administration and Urban Development (J1) Department of Government of Andhra Pradesh dated 05.02.2011 issued under the provisions of Andhra Pradesh Municipalities (Regulation of Receipts and Expenditure) Rules, 1968 exercising the powers conferred under Section 326 of the A.P. Municipalities Act, 1965 and the principles of natural justice and fair play and consequently direct the respondents herein not to interfere with petitioner's peaceful physical possession and continuous enjoyment in respect of Shop No.41, Wholesale Vegetable Market, Gnanapuram, (Popularly Known as Convent Junction Market), Zone IV, Greater Visakhapatnam Municipal Corporation, Visakhapatnam in any manner whatsoever including the pretext of non payment of the amounts demanded under the impugned proceedings.

IA NO: 1 OF 2020 : Petition under Section 151 CPC praying that in the circumstances stated in the affidavit filed in W.P., the High Court may be pleased to grant STAY of all further proceedings pursuant to the Proceedings Rc.No.1700/2020/A7 dated 20.11.2020 (Served and received on 24.11.2020) of the Greater Visakhapatnam Municipal Corporation, Zone-IV, Visakhapatnam, the 2nd respondent herein through the 3rd respondent, including not to seal the premises Shop No.41, Wholesale Vegetable Market, Gnanapuram, (Popularly Known as Convent Junction Market), Zone IV, Greater Visakhapatnam Municipal Corporation, Visakhapatnam in any manner whatsoever including under the pretext of nonpayment of the amounts demanded under the impugned proceedings, pending disposal of WP 23208 of 2020, on the file of the High Court.

WRIT PETITION No.23224 of 2020**Between:**

M/s.Krishna Trading, Rep.by its Partner Y.Pydiraju S/o Late Bangaru Naidu, Aged about 76 years, Business R/o Door No.49-45-3/18 Double Road, B.S.Layout TPT Colony Visakhapatnam.

Petitioner**AND**

1. State of Andhra Pradesh, rep. by its Principal Secretary, Municipal Administration and Urban Development, Secretariat Buildings, Amaravathi, Guntur District.
2. Greater Visakhapatnam Municipal Corporation, Visakhapatnam, rep. by its Commissioner
3. The Zonal Commissioner, Zone-IV, Greater Visakhapatnam Municipal Corporation, Visakhapatnam.

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, order or direction more particularly one in the nature of WRIT OF MANDAMUS declaring the impugned action of the Visakhapatnam Municipal Corporation, the 2nd respondent herein, in issuing the Proceedings in Rc.No.1700/2020/A7 of Greater Visakhapatnam Municipal Corporation, Zone-IV, Visakhapatnam dated 20.11.2020 (Served and received on 24.11.2020) as arbitrary, illegal, capricious, high handed, violate the fundamental rights guaranteed to the petitioner under Articles 14, 25 and the guarantee under Article 300-A of the Constitution of India, the Statutory provisions of the Hyderabad Municipal Corporation Act, 1955 as is made applicable to the Greater Visakhapatnam Municipal Corporation Act, the G.O. Ms. No. 56 of Municipal Administration and Urban Development (J1) Department of Government of Andhra Pradesh dated 05.02.2011 issued under the provisions of Andhra Pradesh Municipalities (Regulation of Receipts and Expenditure) Rules, 1968 exercising the powers conferred under Section 326 of the A.P. Municipalities Act, 1965 and the principles of natural justice and fair play and consequently direct the respondents herein not to interfere with petitioners peaceful physical possession and continuous enjoyment in respect of Shop No.07, Wholesale Vegetable Market, Gnanapuram, (Popularly Known as Convent Junction Market), Zone IV, Greater Visakhapatnam Municipal Corporation, Visakhapatnam in any manner whatsoever including the pretext of nonpayment of the amounts demanded under the impugned proceedings;

IA NO: 1 OF 2020

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 grant STAY of all further proceedings pursuant to the Proceedings Rc.No.1700/2020/A7 dated 20.11.2020 (Served and received on 24.11.2020) of the Greater Visakhapatnam Municipal Corporation, Zone-IV, Visakhapatnam, the 2nd respondent herein through the 3rd respondent, including not to seal the premises Shop No.07, Wholesale Vegetable Market, Gnanapuram, (Popularly Known as Convent Junction Market), Zone IV, Greater Visakhapatnam Municipal Corporation, Visakhapatnam in any manner whatsoever including under the pretext of nonpayment of the amounts demanded under the impugned proceedings, pending disposal of the Writ Petition No.23224 of 2020, on the file of the High Court.

WRIT PETITION NO: 23267 OF 2020

Between:

N. Satyanarayana, S/o. N.Kirshnamurthy

Petitioner

AND

1. State of Andhra Pradesh, rep. by its Principal Secretary, Municipal Administration and Urban Development, Secretariat Buildings, Amaravathi, Guntur District.
2. Greater Visakhapatnam Municipal Corporation, Visakhapatnam, rep. by its Commissioner
3. The Zonal Commissioner, Zone-IV, Greater Visakhapatnam Municipal Corporation, Visakhapatnam.

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, order or direction more particularly one in the nature of WRIT OF MANDAMUS declaring the impugned action of the Visakhapatnam Municipal Corporation, the 2nd respondent herein, in issuing the Proceedings in

Rc.No.1700/2020/A7 of Greater Visakhapatnam Municipal Corporation, Zone-IV, Visakhapatnam dated 20.11.2020 (Served and received on 24.11.2020) as arbitrary, illegal, capricious, high handed, violate the fundamental rights guaranteed to the petitioner under Articles 14, 25 and the guarantee under Article 300-A of the Constitution of India, the Statutory provisions of the Hyderabad Municipal Corporation Act, 1955 as is made applicable to the Greater Visakhapatnam Municipal Corporation Act, the G.O. Ms. No. 56 of Municipal Administration and Urban Development (J1) Department of Government of Andhra Pradesh dated 05.02.2011 issued under the provisions of Andhra Pradesh Municipalities (Regulation of Receipts and Expenditure) Rules, 1968 exercising the powers conferred under Section 326 of the A.P. Municipalities Act, 1965 and the principles of natural justice and fair play and consequently direct the respondents herein not to interfere with petitioner's peaceful physical possession and continuous enjoyment in respect of Shop No.11, Wholesale Vegetable Market, Gnanapuram, (Popularly Known as Convent Junction Market), Zone IV, Greater Visakhapatnam Municipal Corporation, Visakhapatnam in any manner whatsoever including the pretext of nonpayment of the amounts demanded under the impugned proceedings.

IA NO: 1 OF 2020

Petition under Section 151 CPC praying that in the circumstances stated in the affidavit filed in W.P., the High Court may be pleased to grant stay of all further proceedings pursuant to the Proceedings Rc.No.1700/2020/A7 dated 20.11.2020 (Served and received on 24.11.2020) of the Greater Visakhapatnam Municipal Corporation, Zone-IV, Visakhapatnam, the 2nd respondent herein through the 3rd respondent, including not to seal the premises Shop No.11, Wholesale Vegetable Market, Gnanapuram, (Popularly Known as Convent Junction Market), Zone IV, Greater Visakhapatnam Municipal Corporation, Visakhapatnam in any manner whatsoever including under the pretext of non payment of the amounts demanded under the impugned proceedings, pending disposal of WP 23267 of 2020, on the file of the High Court.

WP. No. 23598 of 2020:

Between:

P. Bharathi, W/o. Late P.Satyanarayana

Petitioner

AND

1. State of Andhra Pradesh, rep. by its Principal Secretary, Municipal Administration and Urban Development, Secretariat Buildings, Amaravathi, Guntur District.
2. Greater Visakhapatnam Municipal Corporation, Visakhapatnam, rep. by its Commissioner
3. The Zonal Commissioner, Zone-IV, Greater Visakhapatnam Municipal Corporation, Visakhapatnam.

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, order or direction more particularly one in the nature of WRIT OF MANDAMUS declaring the impugned action of the Visakhapatnam Municipal Corporation, the 2nd respondent herein, in issuing the Proceedings in Rc.No.1700/2020/A7 of Greater Visakhapatnam Municipal Corporation, Zone-IV, Visakhapatnam dated 20.11.2020 (Served and received on 24.11.2020) as arbitrary, illegal, capricious, high handed, violate the fundamental rights guaranteed to the petitioner under Articles 14, 25 and the guarantee under Article 300-A of the Constitution of India, the Statutory provisions of the Hyderabad Municipal Corporation Act, 1955 as is made applicable to the Greater Visakhapatnam Municipal Corporation

Act, the G.O. Ms. No. 56 of Municipal Administration and Urban Development (J1) Department of Government of Andhra Pradesh dated 05.02.2011 issued under the provisions of Andhra Pradesh Municipalities (Regulation of Receipts and Expenditure) Rules, 1968 exercising the powers conferred under Section 326 of the A.P. Municipalities Act, 1965 and the principles of natural justice and fair play and consequently direct the respondents herein not to interfere with petitioner's peaceful physical possession and continuous enjoyment in respect of Shop No.34, Wholesale Vegetable Market, Gnanapuram, (Popularly Known as Convent Junction Market), Zone IV, Greater Visakhapatnam Municipal Corporation, Visakhapatnam in any manner whatsoever including the pretext of nonpayment of the amounts demanded under the impugned proceedings and pass

IA NO: 1 OF 2020 :

Petition under Section 151 CPC praying that in the circumstances stated in the affidavit filed in Writ Petition, the High Court may be pleased to grant stay of all further proceedings pursuant to the Proceedings Rc.No.1700/2020/A7 dated 20.11.2020 (Served and received on 24.11.2020) of the Greater Visakhapatnam Municipal Corporation, Zone-IV, Visakhapatnam, the 2nd respondent herein through the 3rd respondent, including not to seal the premises Shop No.34, Wholesale Vegetable Market, Gnanapuram, (Popularly Known as Convent Junction Market), Zone IV, Greater Visakhapatnam. Municipal Corporation, Visakhapatnam in any manner whatsoever including under the pretext of nonpayment of the amounts demanded under the impugned proceedings, pending disposal of WP 23598 of 2020, on the file of the High Court.

These petitions coming on for hearing, upon perusing the Petition and the affidavit filed in support thereof and Orders of the High Court dated 27.11.2020 & 30-11-2020 made in W.P. Nos. 22418 22419, 22420 of 2020 and orders dated 4-12-2020 made herein and upon hearing the arguments of Sri.T.S.Anand Advocate for the Petitioner in all petitions and of GP for Municipal Administration and Urban Development for Respondent No.1 in all petitions, and of Sri.S.Lakshminarayana Reddy, Standing Counsel for Respondent Nos.2 & 3 in all the petitions, the Court made the following

ORDER:

HON'BLE SRI JUSTICE D.V.S.S.SOMAYAJULU**I.A.No.1 of 2020****in**

**WRIT PETITION Nos. 22418; 22419; 22420; 22692; 22693;
22695; 22697; 22698; 22699; 22700; 22702; 22866; 22867;
22868; 22874; 22875; 22879; 22882; 22885; 22893; 22894;
22895; 22911; 22914; 22920; 22941; 22952; 22965; 23006;
23039; 23047; 23067; 23078; 23116; 23208; 23224; 23267
and 23598 of 2020**

COMMON ORDER:

Heard the learned counsel for the petitioners and Sri S. Lakshminarayana Reddy, learned standing counsel for the GVMC.

The issues raised in these cases merit a further hearing. The Court has heard learned counsel for the petitioners and Sri S. Lakshminarayana Reddy, learned standing counsel for the GVMC at length. Learned standing counsel also filed a Memo on 09.12.2020, wherein the manner in which the Municipal Corporation arrived at the amounts demanded was demonstrated in one particular case viz., W.P.No.22418 of 2020. Learned counsel on the basis of the Certificates issued and other data, which is filed along with the memo and also by relying upon the amendments as per G.O.Ms.No.56 dated 05.02.2011 to the Andhra Pradesh Municipalities (Regulation of Receipts and Expenditure) Rules, 1968 issued vide G.O.Ms.No.686, Municipal Administration, dated 30.07.1968, argued the matter at length. This was disputed seriously by the learned counsel for the petitioners.

After hearing both the learned counsel this Court is of the opinion that a deeper further investigation is necessary since there is no clarity about the following issues:

- (a) The size of the shops;
- (b) Whether the land was merely leased out and shop room was constructed by the tenants or Municipality leased out both the shop rooms and the land;
- (c) Applicability of the GST to the rents that are due and payable even prior to 2018;
- (d) The last paid rent in respect of each of the shops;
- (e) The right of the Municipality to claim interest;
- (f) Whether the calculation of the market value is correct and that Dwaraka Nagar Sub-Registrar is the appropriate authority to issue the Market Value Certificate;
- (g) The calculation that the Municipal Corporation has filed with a memo is based upon the Rule 12 (2) which deals with the manner of fixing of "upset price". The upset price for lease of immovable properties for the first time or renewal of lease is dealt with in Rule 12 (2); in Rule 12 (4) there is a procedure for renewal or lease of immovable properties for a period of exceeding three years etc. The respondents will have to clarify if they were fixing upset price or will have to clarify whether their calculation will fall within Rule 12 (2) of G.O. or under Rule 12 (4).
- (h) Last but not the least is the issue of the letter issued by the merchants and whether it amounts to an

unconditional undertaking to pay or an admission of liability.

Learned standing counsel argues that the same is unconditional admission of liability, whereby the petitioners agreed to pay the arrears in installments. On the other hand, learned counsel for the petitioner argues that it is not an unconditional admission to pay whatever is decided by the respondents.

In the opinion of this Court, these are all issues which are all need to be heard and decided after filing of a counter and hearing both the learned counsel.

This Court is of the opinion that since the matter is heard at length, an interim order has to be passed, which would balance the interest of both the parties. The petitioners admittedly are the tenants, who are facing difficulty, and have come on record stating that at the request of municipality they have shifted from their regular place of business to this new area, which is behind a burial ground. They have also made a request to the State authorities to refix their rent and sought payment in installments. The respondent corporation, which is the landlord, has to realize the rents from immovable property. This is a major source of revenue for the respondents. Covid-19 has affected both the parties.

Therefore, after examining the records this Court finds that there is one document dated 15.12.2020 styled as an

'Endorsement' wherein the rents for all the 64 shops have been fixed. The data given in this document which is filed by the petitioners largely tallies with the data given in the additional affidavit i.e., I.A.No.2 of 2020. Therefore, adopting this document as a via media this Court is of the opinion that till the period the matter is heard and disposed of, the respondents should be directed to calculate the rent on the basis of this document: In Column No.5 of this endorsement dated 15.12.2020 rent is enhanced from 01.04.2009 to 31.03.2012 and is fixed for all the 64 shops. Using this as a basis, the respondent Municipality shall enhance the rent by 33 1/3% for the period 2012 – 2015 and from 2015 – 2018. This fresh demand for rent shall be made on the petitioners within two weeks from the date of receipt of a copy of this Order. Thereafter, the respondents are given option of paying these enhanced rents as demanded in six equated monthly installments, starting 30 days from the date on which the demand is served on the petitioners. The issue of interest, GST and all other related issues will be decided when the main Writ Petition is heard. Adjustments / refunds etc., will all be decided when the main writ is heard. It is made clear that if the petitioners fail to pay the two installments as stipulated above the respondent corporation can take action for eviction. The interim orders or protection will automatically lapse if two installments are not paid. This is purely an interim measure that is suggested in order to offset the delay, if any that may occur in the disposal of the Writ Petition. By paying this amount or by receiving the amount

neither party will lose their rights to agitate their claims in accordance with law.

//TRUE COPY//

Sd/-G.SrinivasaReddy
ASSISTANT REGISTRAR

SECTION OFFICER
For ASSISTANT REGISTRAR

To,

1. The Principal Secretary, Municipal Administration and Urban Development, State of A.P., Secretariat Buildings, Amaravathi, Guntur District.
2. The Commissioner, Greater Visakhapatnam Municipal Corporation, Visakhapatnam, rep. by its Commissioner
3. The Zonal Commissioner, Zone-IV, Greater Visakhapatnam Municipal Corporation, Visakhapatnam.
4. One CC to Sri.T.S.Anand Advocate [OPUC]
5. Two CCs to GP for Municipal Administration and Urban Development, High Court Of Andhra Pradesh.[OUT]
6. One CC to Sri S. Lakshminaraya Reddy, Standing Counsel (OPUC)
7. One spare copy.

Skm

HIGH COURT

DVSS,J

DATED: 23-12-2020

ORDER

WRIT PETITION NOS: 22418, 22419, 22420, 22692, 22693, 22695, 22697, 22698, 22699, 22700, 22702, 22866, 22867, 22868, 22874, 22875, 22879, 22882, 22885, 22893, 22894, 22895, 22911, 22914, 22920, 22941, 22952, 22965, 23006, 23039, 23047, 23067, 23078, 23116, 23208, 23224, 23267, and 23598 of 2020

DIRECTION

