

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

MONDAY, THE EIGHTEENTH DAY OF JULY
TWO THOUSAND AND TWENTY TWO

:PRESENT:

THE HONOURABLE SRI JUSTICE R RAGHUNANDAN RAO
WRIT PETITION NO: 20986 OF 2022



Between:

Shaik Abdul Jabbar, S/o.Shaik.Abdul Rahim, R/o.D.No. 63-2-37, Aged 52 Years,
Occ. Business, Balajai Nagar 0 Line, Guntur, Guntur District.,PIN.522001.

.... Petitioner

AND

1. The State of Andhra Pradesh, Rep. by its Principal Secretary , Department of Municipal Administration And Urban Development, Secretariat, Velagapudi, Amaravati.
2. The Guntur Municipal Corporation, Represented by its Commissioner, Guntur, Guntur District.
3. The Town Planning Officer, O/o. Guntur Municipal Corporation, Guntur, Guntur District.

.... Respondents

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the affidavit filed therewith, the High Court may be pleased to issue a writ order or direction more particularly in the nature of Writ of Mandamus or any other appropriate Writ, Order or orders, Direction or Directions to Declare the Notices issued and the proposed action by the Second Respondent proposing to remove the House of the Petitioner in D.No.51-53, Gunturivarithota, Opp.RTC Bus Stand, Guntur, without considering the Reply of the Petitioner dated 01-04-2022, for the alleged Notices issued by the Second Respondent Vide No-1/1021/GMC/UC/2022, Dated 03-01-2022(which was not served on the Petitioner, but the Petitioner received this Notice on 25-03-2022 when he met the Second Respondent personally), and the Second Notice Vide No-1/1021/GMC/UC/2022, Dated 14-03-2022, which was served on the Petitioner on 24-03-2022., and the attempts of the Respondents to Demolish the structures with out considering the reply; without verifying the subject premises Physically, is illegal, Violation of Principles of Natural Justice, and contrary to Law, consequently to direct the Respondents not to demolish any structures in Property of the Petitioner with D.No. 51-53, Gunturivarithota, Opp.RTC Bus Stand, Guntur.

IA NO: 1 OF 2022

Petition under Section 151 CPC praying that in the circumstances stated in the affidavit filed in support of the petition, the High Court may be pleased to direct the Respondents not to demolish any structures in Property of the Petitioner D.No. 51-53, Gunturivarithota, Opp.RTC Bus Stand, Guntur, Pending disposal of WP 20986 of 2022, on the file of the High Court.

The petition coming on for hearing, upon perusing the Petition and the affidavit filed in support thereof and upon hearing the arguments of Sri ERBORI PANDU RANGA Advocate for the Petitioner and GP FOR MUNICIPAL ADMN URBAN DEV for the Respondent Nos.1 and Sri M.Manohar Reddy, SC, for Respondent Nos.2 & 3, the Court made the following.

ORDER:

“Sri M.Manohar Reddy, learned Standing Counsel for Municipalities seeks time to obtain instructions.

Post on 25.07.2022 in motion list.

In the meanwhile, no coercive steps shall be taken against the petitioner."

Sd/- K. SRINIVASA RAJU
ASSISTANT REGISTRAR

//TRUE COPY//

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SECTION OFFICER

To

1. The Principal Secretary, Department of Municipal Administration And Urban Development, Secretariat, Velagapudi, State of Andhra Pradesh, Amaravati.
2. The Commissioner, Guntur Municipal Corporation, Guntur, Guntur District.
3. The Town Planning Officer, O/o. Guntur Municipal Corporation, Guntur, Guntur District.(1 to 4 by RPAD)
4. One CC to SRI. M.Manohar Reddy, SC, Advocate [OPUC]
5. One CC to SRI. ERBORI PANDU RANGA Advocate [OPUC]
6. Two CCs to GP FOR MUNICIPAL ADMN URBAN DEV ,High Court Of Andhra Pradesh. [OUT]
7. **One spare copy**

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HIGH COURT

RRRJ

DATED:18/07/2022

POST ON 25.07.2022 IN MOITON LIST

ORDER

WP.No.20986 of 2022

DIRECTION

