APHC010440872026

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

FRIDAY, THE 25th DAY OF SEPTEMBER 2026

PRESENT

THE HONOURABLE SMT JUSTICE KIRANMAYEE MANDAVA

WRIT PETITION NOs: 23968 & 16632 OF 2026

WRIT PETITION NO: 23968 OF 2026

Between:

1. KANDIKONDA CHELLAYAMMA, W/o. Late Demudu, Aged 65 years, Housewife, R/o. D.No.44-17-22/2A, Annapurnammapeta, Ashoka Talkies Road, Rajamahendravaram - 533101

2. Sundarapalli Durga,, W/o. Srinu, Aged 43 years, R/o. H.No.3-54, Gunnempudi Village, Butchayyapeta Mandal Visakhapatnam District-531025

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...Petitioners

AND

1. THE STATE OF ANDHRA PRADESH, Rep. by its Principal Secretary, Municipal Administration and Urban Development Department, A.P Secretariat at Velagapudi, Amaravathi, Guntur District - 522238

2. Rajamahendravaram Municipal Corporation, Rep. by its Commissioner, Rajamahendravaram, East Godavari District - 533104

3. Kodati Ravindranath, S/o. Sambamurthy, Aged 67 years, R/o. D.No.44-17-18/4, Annapurnammapeta, Rajamahendravaram East Godavari District - 533101

4. Kodati Vara Prasad, S/o. Sambamurthy, Aged 65 years, R/o. D.No.44-17-18/4, Annapurnammapeta, Rajamahendravaram, East Godavari District - 533101

...Respondents

Counsel for the Petitioners: VARREY VENKATA NAGA VISHNU TEJA

Counsel for the Respondents: GP MUNCIPAL ADMN AND URBAN DEV AP

Counsel for the Respondents: T V JAGGI REDDY

WRIT PETITION NO: 16632 OF 2026

Between:

1. KODATI RAVINDRANATH, S/o K Sambamurthy, Aged about 67 years, R/o D. No.44-17-18/4, Annapuranam Peta, Rajamahendravaram, East Godavari District. - 533103.

...Petitioner

AND

1. THE STATE OF AP, Represented by its Principal Secretary Municipal Administration and Urban Development Department, Secretariat, Velagapudi, Amaravati, Andhra Pradesh. - 522237.

2. The Rajamahendravaram Municipal Corporation, Rep by its Commissioner, Rajamahendravaram, East Godavari District. -533101.

3. Kanditkonda Demudu, S/o Late Jaganadham, Aged about 74 years, R/o D.No.44-17-22/2A, Annapurnampeta, Ashoka Talkies Road, Rajamahendravaram, East Godavari District. - 533103.

4. Kanditkonda Chellayamma, W/o K Demudu, Aged about 70 years, R/o D.No.44-17-22/2A, Annapurnampeta, Ashoka Talkies Road, Rajamahendravaram, East Godavari District.

...Respondents

Counsel for the Petitioner: T V JAGGI REDDY

Counsel for the Respondents: VARREY VENKATA NAGA VISHNU TEJA

Counsel for the Respondents: GP MUNCIPAL ADMN AND URBAN DEV AP

The Court made the following Common Order:

Heard Ms. Varrey Venkata Naga Vishnu Teja, learned counsel for the petitioners, learned Assistant Government Pleader for Municipal Administration and Urban Development and Sri A.S.C. Bose, learned Standing Counsel for the respondent/Municipal Corporation.

2. The grievance of the petitioners in the instant Writ Petitions is against the action of the respondents in issuing show cause notice dated 06-08-2026 contrary to the Judgment and Decree dated 23-06-2025 passed in A.S.No.42 of 2020 on the file of the learned II Additional Senior Civil Judge, Rajamahendravaram and order passed by this Court in W.P.No.37374 of 2013 dated 19-12-2013.

3. It is contended by the learned counsel for the petitioners that alleging violation of the conditions of building permission, the respondent/Municipal Corporation had issued Show Cause Notice dated 06-08-2026. To the said show cause notice, the petitioner filed his objections on 14-08-2026. Without considering the objections of the petitioner, and without passing orders pursuant to the show cause notice, the respondent/Corporation is interfering with the petitioner’s possession and occupation of the subject property. Thus filed the instant Writ Petition.

4. It is further argued by the learned counsel for the petitioners that despite the directions of this court in the earlier round of litigation, namely in Writ Petition in W.P.No.37374 of 2013, and A.S.No.42 of 2020, directing the Municipal Corporation to issue notice and pass appropriate orders, in accordance with law, without passing any orders on the show-cause notice, the respondent/Corporation is repeatedly obstructing the petitioners' possession.

5. Sri T.V. Jaggi Reddy, Learned counsel appearing for the unofficial respondents submits that the petitioner had raised the subject construction beyond the permission granted by the Municipal Corporation. As the said construction is obstructing the unofficial respondents' property, they approached the respondent/Corporation and also filed a Writ Petition. Pursuant to the said direction in the Writ Petition, impugned notice dated 06-08-2026 was issued. Therefore, learned counsel submits that the direction issued to the respondent/Corporation in the said regard is to pass appropriate orders in accordance with law.

6. Learned counsel for the petitioners further argues that liberty may be granted to the petitioners to avail the scheme of BPS under G.O.Ms.No.225.

7. Considered the rival submissions. Having regard to the fact that show cause notice has already been issued to the petitioners for the alleged violations, and the petitioners have stated to have submitted their explanation to the same. In the light of the same, the respondent/Corporation is directed to

pass appropriate orders after considering the objections of the petitioners and the unofficial respondents, by affording sufficient opportunity of hearing to both the petitioners and the unofficial respondents, within a period of eight (08) weeks from the date of receipt of this order. Till such time, there shall not be any coercive measures for demolish of the subject property.

8. With the above observation, the Writ Petitions are disposed of. There shall be no order as to costs.

As a sequel, all pending miscellaneous applications shall stand closed.

JUSTICE KIRANMAYEE MANDAVA

Dated: 25-09-2026

Note: Issue CC by one (01) week
B/o.
MSI

THE HONOURABLE SMT JUSTICE KIRANMAYEE MANDAVA

WRIT PETITION NOs: 23968 & 16632 OF 2026

Dated: 25-09-2026

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