APHC010319352026

IN THE HIGH COURT OF ANDHRA PRADESH
AT AMARAVATI **[3458]**
(Special Original Jurisdiction)

WEDNESDAY, THE 30th DAY OF SEPTEMBER 2026

PRESENT

THE HONOURABLE SMT JUSTICE KIRANMAYEE MANDAVA

WRIT PETITION NO: 16728 OF 2026

Between:

1. SIRIPURAM GOVINDAMMA, W/O KOTHAPALLI VENKATA SWAMY AGED ABOUT 62 YEARS, OCC. SUB- INSPECTOR OF POLICE, R/O D.NO. 3-106/3- VENKATAPURAM, REVENUE WARD 66, VISAKHAPATNAM, VISAKHAPATNAM DISTRICT - 530027

...PETITIONER

AND

1. THE STATE OF ANDHRA PRADESH, REP. BY ITS PRINCIPAL SECRETARY, MUNICIPAL ADMINISTRATION AND URBAN DEVELOPMENT DEPARTMENT SECRETARIAT BUILDINGS, VELAGAPUDI, GUNTUR DISTRICT, A.P. 522237
2. THE GREATER VISAKHAPATNAM MUNICIPAL CORPORATION, REPRESENTED BY ITS COMMISSIONER, VISAKHAPATNAM, VISAKHAPATNAM DISTRICT 530001
3. THE TOWN PLANNING SURVEYOR, THE GREATER VISAKHAPATNAM MUNICIPAL CORPORATION, VISAKHAPATNAM, VISAKHAPATNAM DISTRICT 530001
4. SRI VARAHA LAKSHMI NARASIMHA SWAMYVARI DEVASTHANAM, REP. BY ITS EXECUTIVE OFFICER, SIMHACHALAM, VISAKHAPATNAM DISTRICT 530001

...RESPONDENT(S):

Counsel for the Petitioner:

1. D V SASIDHAR

Counsel for the Respondent(S):

1. CHINTAPALLI SRINIVAS
2. A S C BOSE (SC FOR MUNICIPAL CORPORATIONS AP)
3. GP MUNCIPAL ADMN AND URBAN DEV AP

The Court made the following order:

Heard Sri K.Srinivasa, learned counsel appearing for Sri D.V.Sasidhar, learned counsel for the petitioner, learned Assistant Government Pleader for Municipal Administration and Urban Development appearing for respondent No.1, Sri ASC Bose, learned Standing Counsel for Municipal Corporation appearing for respondent Nos.2 & 3.

2. The petitioner's grievance in the instant Writ Petition is against the action of respondent Nos.2 to 4 in attempting to demolish the petitioner's semi-constructed house property admeasuring 131 square yards, situated at Sy.No.52-B, bearing House No.3-106/3, Venkatapuram, Visakhapatnam District, without following due process of law.

3. It is contended that the petitioner is a General Power of Attorney holder of one Chintala Bhaskar Rao. The said Chintala Bhaskar Rao purchased the subject property under a registered Sale Deed bearing Document No.705 of 2010, dated 06.04.2010. The vendor of the said Chintala Bhaskar Rao had in turn purchased the subject property under a registered Sale Deed bearing Document No.405 of 2009, dated 28.03.2009.

4. Pursuant to the General Power of Attorney executed in his favour, the petitioner obtained building permission on 18.04.2026 from the 2nd respondent

for reconstruction of the existing building in the said property. In pursuance of the said permission, the petitioner commenced construction activity over the subject property. At that juncture, respondent Nos.2 to 4 inspected the property on 15.06.2026 and informed the petitioner that the subject land belonged to a temple. They further orally threatened the petitioner that the construction would be demolished.

5. Learned counsel for the petitioner contends that respondent Nos.2 to 4 did not conduct any survey before arriving at the conclusion that the subject property belongs to the 4th respondent temple. It is further contended that, without any authority of law, the respondents threatened to demolish the construction raised by the petitioner over the subject property. Thus, challenging the said action of the respondents, the instant Writ Petition is filed.

6. The 3rd respondent filed a counter-affidavit stating, while not disputing the building permission granted for reconstruction in the place of the existing structure bearing D.No.3-106/3, Venkatapuram, it is stated that the file was sent to the Surveyor to verify the survey number and classification of the subject property. Upon inspection of the subject property and verification of the revenue records, the 3rd respondent had reported that the property actually falls in Sy.No.56 of Venkatapuram Village and that the said survey number is classified as Endowments land, whereas the petitioner had mentioned in the application and in the plans/drawings as Sy.No.52/B.

7. It is stated that the petitioner had mentioned Sy.No.52/B, whereas the proposed site falls in Sy.No.56 of Venkatapuram Village. Thus, after noticing the said discrepancy an endorsement dated 01.08.2026 was issued. Further, it is alleged that the petitioner did not show the extent that would be effected in the road-widening and did not submit the Gift Deed executed in favour of the corporation for road widening.

8. The authorities accordingly pointed out the deficiencies and called upon the petitioner to submit the requisite documents. It is contended that without complying with the deficiencies, the petitioner cannot seek or compel the GVMC to process or continue the building permission without satisfying the statutory and documentary requirements.

9. The relief sought in the instant Writ Petition by the petitioner is for a direction to the respondents not to demolish the semi-constructed structure in the subject property bearing D.No.3-106/3, situated in Sy.No.52/B. The petitioner neither challenged the endorsement dated 01.08.2026 nor accepted it. In light of the said endorsement, which was left unanswered by the petitioner, this Court deems it appropriate to dispose of the Writ Petition granting liberty to the petitioner to submit his explanation before the 2nd respondent within a period of two weeks from the date of receipt of a copy of this order. Upon filing of such explanation, the respondent-Corporation shall consider the same and pass appropriate orders, in accordance with law, within a period of four weeks thereafter.

10. Till such time, the orders that would be passed pursuant to the explanation that the petitioner would file to the endorsement dated 01.08.2026, no coercive measures for demolition of the subject structure shall be taken, nor can the petitioner make any further construction over the subject property.

11. Accordingly, the Writ Petition is disposed of. There shall be no order as to costs.

As a sequel, miscellaneous applications pending, if any, shall stand closed.

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JUSTICE KIRANMAYEE MANDAVA

Date: 30.09.2026
BSK

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THE HONOURABLE SMT JUSTICE KIRANMAYEE MANDAVA

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