APHC010513442026

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

WEDNESDAY, THE 30th DAY OF SEPTEMBER 2026

PRESENT

THE HONOURABLE SMT JUSTICE KIRANMAYEE MANDAVA

WRIT PETITION NO: 28042 OF 2026

Between:

1. Smt.R.Ramalakshmi,, W/o. Suryanarayana, Aged about 54 years, Rio. D.No.23-63-11, BC Road, Dayal Nagar, Pedagantyada, Gajuwaka, Visakhapatnam, Andhra Pradesh.

...Petitioner

AND

1. The State of Andhra Pradesh, Rep. by its Principal Secretary, Department of Municipal Administration, Secretariat Buildings, Velagapudi, Guntur District, Andhra Pradesh - 522237.

2. The Greater Visakhapatnam Municipal Corporation, Visakhapatnam, Rep. by its Commissioner, Visakhapatnam, Andhra Pradesh - 530003.

3. The Zonal Commissioner, 26-1-20, 100 Feet Rd. Opposite Municipal Office, Chinagantyada, Sri Nagar, Gajuwaka, Andhra Pradesh - 530026.

4. The Town Planning Officer, Gajuwaka Zone GVMC Office, Gajuwaka, Visakhapatnam - 530026.

...Respondents

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the affidavit filed therewith, the High Court may be pleased to issue an appropriate Writ or order or direction more particularly in

the nature of Writ of Mandamus declaring the action of the Respondents, more particularly, the Respondent No.4 herein issuing cause notice bearing Notice show No.1/WPRS/1086438, dated 22.07.2026, seeking explanation as to why action should not be taken for removal of the Dwelling house of the Petitioner situated in D.No.23-63-11, Dayal Nagar, Visakhapatnam, under secti0ns405, 406 r/w 452(1) of Andhra Pradesh Municipalities Act 1955 as being illegal, arbitrary, unjust, Violative of Principles of Natural Justice, Contrary to the provisions of the Andhra Pradesh Municipalities Act, 1965 and violative of Articles 14, 19(1)(g), 21 and 300A of the Constitution of India and Consequently Set Aside the Notice bearing No.1/WPRS/1086438, dated 22.07.2026, and pass any such

IA NO: 1 OF 2026

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

Counsel for the Petitioner: N ASHWANI KUMAR

Counsel for the Respondents: GP FOR MUNCIPAL ADMN URBAN DEV

THE HONOURABLE SMT JUSTICE KIRANMAYEE MANDAVA

WRIT PETITION NO: 28042 OF 2026

The Court made the following Order:

Heard the learned counsel for the petitioner, learned Assistant Government Pleader for Municipal Administration and Urban Development and Sri Sata Vijaya Kumar, learned counsel appearing for Sri A.S.C. Bose, learned Standing Counsel for Municipal Corporation appearing for respondent Nos.2 to 4.

2. The grievance of the petitioner in the instant writ petition is against the action of respondent No.4 in issuing show cause notice dated 22.07.2026 seeking explanation as to why action should not be taken for removal of the alleged unauthorized construction, the residential house of the petitioner, bearing D.No.23-63-11, Dayal Nagar, Visakhapatnam.

3. It is contended by the respondents that to the said show-cause notice, the petitioner was required to submit his objections within seven days from the date of receipt of the notice. However, the petitioner has filed the present writ petition challenging the said show-cause notice dated 22.07.2026. Learned counsel for petitioner submits that, after filing of the writ petition, the petitioner has submitted his objections before the 4th respondent.

4. Having regard to the contentions advanced, this Court deems it appropriate to dispose of the writ petition with a direction to the 4th respondent to consider the objections filed by the petitioner to the show-cause notice dated 22.07.2026 and pass appropriate orders within a period of four weeks

from the date of receipt of a copy of this order, after affording due opportunity of hearing to the petitioner.

5. Till such time, the respondents are directed not to take any coercive measures in respect of the subject property.

6. With the above observation, the Writ Petition is disposed of. There shall be no order as to costs.

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

JUSTICE KIRANMAYEE MANDAVA

Dated: 30-09-2026

MSI

THE HONOURABLE SMT JUSTICE KIRANMAYEE MANDAVA

WRIT PETITION NO: 28042 OF 2026

Dated: 30-09-2026

MSI