APHC010030872023

IN THE HIGH COURT OF ANDHRA PRADESH
AT AMARAVATI [3457]
(Special Original Jurisdiction)

WEDNESDAY,THE TWENTY FOURTH DAY OF SEPTEMBER
TWO THOUSAND AND TWENTY FIVE

PRESENT

THE HONOURABLE SRI JUSTICE HARINATH.N

WRIT PETITION NO: 1469/2023

Between:

1. SHAIK ABDUL NABI @ KHAJA PEER, S/O. SHAIK ABDUL SATTAR, AGED ABOUT 71 YEARS, R/O. D.NO.20-8-57, MECLENCE ROAD, KOTA MITTA, NELLORE CITY, SPSR NELLORE DISTRICT.
2. SHAIK FAYAZ AHMED,, S/O. SHAIK ABDUL NABI @ KHAJA PEER, AGED ABOUT 43 YEARS, R/O. D.NO.20-8-57, MECLENCE ROAD, KOTA MITTA, NELLORE CITY, SPSR NELLORE DISTRICT.
3. SHAIK RIZWANA, W/O. SHAIK MOHAMMAD SALEEM, AGED ABOUT 45 YEARS, R/O. D.NO.20-8-57, MECLENCE ROAD, KOTA MITTA, NELLORE CITY, SPSR NELLORE DISTRICT.

...PETITIONER(S)

AND

1. STATE OF ANDHRA PRADESH, MUNICIPAL ADMINISTRATION DEPARTMENT, SECRETARIAT, VELAGAPUDI, AMARAVATHI, GUNTUR DISTRICT. REP. BY ITS PRINCIPAL SECRETARY.
2. THE COMMISSIONER, NELLORE MUNICIPAL CORPORATION, NELLORE, SPSR NELLORE DISTRICT.
3. THE CITY PLANNER TOWN PLANNING OFFICER, NELLORE MUNICIPAL CORPORATION, NELLORE, SPSR NELLORE DISTRICT.
4. THE DEPUTY CITY PLANNER, NELLORE MUNICIPAL CORPORATION, NELLORE, SPSR NELLORE DISTRICT.

...RESPONDENT(S):

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 topleased to issue a writ of mandamus or any other appropriate writ or direction declaring the action of the respondents in passing orders Roc.No.544/2022/02, dt.17.01.2023 and trying to demolish the petitioners houses bearing Door Nos. 20-8-57, 20-8-57 and 20-8-57/1 as illegal, arbitrary, violation of Article 14 and 300-A of Constitution of India, against the principles of Natural Justice and also in contravention of provisions of GHMC Act, 1955 and consequently direct the respondents not to demolish the petitioners houses bearing Door No.20-8-57, 20-8-57 and 20-8-57/1 respectively in an extent of 20 ankanams, situated at Meclances Road, Kota Mitta, Nellore City, SPSR Nellore District by setting aside the orders of the 4th respondent Roc.No.544/2022/G2, dt.17.01.2023 and pass

IA NO: 1 OF 2023

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 pleased to direct the respondents not to demolish the petitioners houses bearing Door No.20-8-57, 20-8-57 and 20-8-57/1 respectively in an extent of 20 ankanarns, situated at Meclances Road, Kota Mitta, Nellore City by suspending the orders of the 4th respondent Roc.No.544/2022/G2, dt.17.01.2023 and pass

Counsel for the Petitioner(S):

1. C SUBODH

Counsel for the Respondent(S):

1. GP FOR MUNCIPAL ADMN URBAN DEV
2. KALAVA SURESH KUMAR REDDY (SC FOR MC RAYAL REGION, NELLORE)

THE HON'BLE SRI JUSTICE HARINATH.N

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ORDER:

1. The petitioners are aggrieved by the action of the respondents in issuing the impugned proceedings dated 17.01.2023 and attempting to demolish the petitioners' house.

2. This Court directed the respondents to follow the due process of law. It is submitted that thereafter the respondent authorities issued notices, to which the petitioners have submitted a representation.

3. The learned Standing counsel appearing for the respondent corporation placed written instructions on record and submits that the respondents authorities will examine the petitioners representation and follow due process in accordance with law.

3. Taking into consideration the representation dated 12.12.2022 submitted by the petitioners, no further action shall be initiated by the respondents against the petitioners till then.

3. Recording the same, the present writ petition is closed. There shall be no order as to costs.

Miscellaneous petitions, if any, pending in this writ petition shall stand closed.

JUSTICE HARINATH.N

Dt.24.09.2025
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THE HONOURABLE SRI JUSTICE HARINATH.N

WRIT PETITION NO: 1469 of 2023

Date: 24.09.2025

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