

HIGH COURT OF ANDHRA PRADESH : AT AMARAVATI

MAIN CASE No: W.P.No.18114 of 2023

PROCEEDING SHEET

Sl. No.	DATE	ORDER	OFFICE NOTE
01	21.07.2023	<u>Dr. KMR,J</u> Mr.Challa Gunaranjan, learned counsel for the petitioner. Learned Government Pleader for MA & UD takes notice for the Respondents 1 and 4. Mr.Ranga Reddy, learned Standing Counsel takes notice for the Respondents 2 and 3. Learned counsel for the petitioner submits that, petitioner had not deviated from the original building plan obtained by the petitioner's vendors from the respondent authorities and the 3rd respondent herein had issued the impugned notice dated. 12.07.2023 without comparing the same with the 4th respondent's survey report and the town surveyor report, and by taking fictitious measurements holding that the entire building has been encroached after completion of these many years and also without according any opportunity to the petitioner herein for submitting his objections on the survey report and also without according any opportunity to the petitioner herein to revert on the reference taken by the 4th respondent for such	

		measurement. Learned counsel for the petitioner further submits that, the action of the respondents to demolish the building without considering the building plan of the petitioner herein and comparing the same with the survey report dt.05.05.2023, judgment and decree passed in the O.S No.70 of 1966 on the file of Court of District Munsiff of Gooty and the petitioners reply dated 14.06.2023 in toto and without accordingly any opportunity to the petitioner to prove the actual measurements on ground, is unlawful and violates the petitioner rights guaranteed under Article 14, 21 and Article 300 A of the Constitution of India. In view of the submissions made by both the learned counsels, the Respondent Nos.2 and 3 are directed not to demolish the subject property bearing Door No.16/75, Sy.No.114, Main road, Guntakal, Ananthapuram District. Learned counsel for the respondents are directed to file counters. Further, learned counsel for the petitioner is also directed to file original building plan record, for adjudication of the matter. Post on 11.08.2023. Dr. KMR,J Note: Issue CC today (B/O) RSD/HS	
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