

IN THE HIGH COURT OF ANDHRA PRADESH AT AMARAVATI
(SPECIAL ORIGINAL JURISDICTION)

WEDNESDAY, THE TWENTY NINTH DAY OF JANUARY
TWO THOUSAND AND TWENTY FIVE ✓



:PRESENT:

HONOURABLE SRI DHIRAJ SINGH THAKUR, THE CHIEF JUSTICE

AND

THE HONOURABLE SRI JUSTICE RAVI CHEEMALAPATI

WRIT PETITION (PUBLIC INTEREST LITIGATION) NO: 182 OF 2023

Between:

Dr.Mungapati Venkatgeswara Rao, S/o. Nagaiah, Age: 50 years, Occ: Ex-Counselor, R/o.#5-158-R, Indira Nagar, APSP Camp Road, Mangalagiri, Guntur District, Andhra Pradesh.

Petitioner's Voter ID Card No.NYT0510915

Petitioner's Pan Card No.ARQPM5797F

Petitioner's Aadhaar Card No.944746608870

Petitioner's Mobile No.9949996886

Petitioner's e-mail: munagapativenkateswarao@gmail.com

...Petitioner

AND

1. The State of Andhra Pradesh, Rep. by its Principal Secretary, Department of Municipal Administration and Urban Development, Secretariat, Velagapudi, Guntur District, Andhra Pradesh.
2. The Commissioner and Director of Municipal Administration, Prime Hill Crest, 4thFloor, Near DGP Office, Beside Ultratech Ready Mix Plant, Vaddeswaram Village, Mangalagiri, Guntur District, Andhra Pradesh.
3. The Director of Town and Country Planning, Government of Andhra Pradesh, Department of Municipal Administration and Urban Development, MGM Capital Building, Ground Floor, Back side of Dr.YSRArogyasri Health Care Trust, NH16 Service Road, Mangalagiri, Guntur District, Andhra Pradesh-522503.

4. The Collector and District Magistrate, Collectorate, Guntur District, Guntur, Andhra Pradesh.
5. The Commissioner, Mangalagiri-Tadepalli Municipal Corporation, Beside RTC Bus Stand, Gouthamabuddha Road, Mangalagiri, Guntur District, Andhra Pradesh.
6. The Deputy Director-cum-Special Officer, Mangalagiri-Tadepalli Municipal Corporation, Beside RTC Bus Stand, Gouthamabuddha Road, Mangalagiri, Guntur District, Andhra Pradesh.
7. The Deputy City Planner, Mangalagiri-Tadepalli Municipal Corporation, Beside RTC Bus Stand, Gouthamabuddha Road, Mangalagiri, Guntur District, Andhra Pradesh.
8. The Assistant City Planner, Mangalagiri-Tadepalli Municipal Corporation, Beside RTC Bus Stand, Gouthamabuddha Road, Mangalagiri, Guntur District, Andhra Pradesh.
9. Kurra Srinivasa Rao, S/o. Venkateswarulu, Aged 51 years, Occ: Lecturer & State President of Yadava Sangam, R/o. D.No. 5-143/F, Indiranagar, Mangalgiri-522503, Guntur District, State of Andhra Pradesh.

...Respondents

(Respondent No.9 was impleaded as per court order dated.03.04.2024 vide I.A.No.1 of 2024 in WP(PIL).No.182 of 2023)

Petition under Article 226 of the Constitution of India is filed praying that in the circumstances stated in the affidavit filed therewith, the High Court may be pleased to issue a writ or order, orders or directions more particularly one in the nature of Writ of Mandamus- i)declaring the action of the 5th respondent in one hand saying that he has taken all precautionary measures to see not to proceed with construction works pertaining to Lord Sri Krishna Temple by some unauthorized persons at Municipal Corporation site situated in Sy.No.232/1E belonging to Indira Nagar, APSP Camp Road, Mangalagiri vide his communication dt.09-09-2023 and in another hand highhandedly

supervising the works progress pertaining to illegally constructing Community Hall as well as Lord Sri Krishna Temple by joining hands with a section of unauthorized persons to see to encroach and grab crores of the rupees worth valuable Mangalagiri Municipal Corporation own landed property by them on extraneous considerations as illegal, arbitrary, discriminative, colourable exercise of powers, contrary to the "Doctrine of Legitimate Expectation", "Doctrine of Promissory Estoppel", violative of common order dt.14-09-2022 passed in WP(PIL) No.140 of 2022 and batch besides violative of Art.14 of the Constitution of India; and ii)consequently, direct the respondents in general and Respondents 5 to 8 in particular to protect the valuable Mangalagiri Municipal Corporation Landed property situated in Sy. No.232/1E belonging to Indira Nagar, APSP Camp Road, Mangalagiri from its encroachment by a section of unauthorized persons by taking back the hands in gloves with a section of unauthorized encroachers and grabbers duly giving weightage to Spandana Redressal of Grievance Report dt.09-09-2023 of the 5th respondent R/w.common order dt.14-09-2022 passed in WP(PIL) No.140 of 2022 and batch;

IA NO: 1 OF 2023

Petition under Section 151 CPC is filed praying that in the circumstances stated in the affidavit filed in support of the petition, the High Court may be pleased to direct the respondents in general and Respondents 5 to 8 in particular to protect the valuable Mangalagiri Municipal Corporation Landed property situated in Sy. No.232/1E belonging to Indira Nagar, APSP Camp Road, Mangalagiri from its encroachment by a section of unauthorized persons duly giving weightage to Spandana Redressal of Grievance Report dt.09-09-2023 of the 5th respondent R/w. common order dt.14-09-2022 passed in WP(PIL) No.140 of 2022 and batch, Pending disposal of WP(PIL) 182 of 2023, on the file of the High Court.

The petition coming on for hearing, upon perusing the Petition and the affidavit filed in support thereof and the earlier Orders of the High Court dated. 22.11.2023, 13.12.2023, 27.12.2023, 07.02.2024, 21.02.2024, 03.04.2024, 26.06.2024, 07.08.2024, 16.10.2024, 13.11.2024 & 08.01.2025 made herein and upon hearing the arguments of Sri Peeta Raman, Advocate for the Petitioner and of GP for Municipal Administration & Urban Development for Respondent Nos.1 to 3 and of GP for Revenue for Respondent No.4 and of Sri A.S.C Bose, Standing Counsel for Respondent Nos.5 to 8, Sri.B.Chandrasekhar representing Sri.Nagaraju Naguru, Advocate for respondent No.9, the Court made the following

ORDER:

An adjournment is sought on account of indisposition of the learned counsel for the petitioner.

Adjourned.

List on 30.04.2025.

Interim order granted earlier in WP(PIL).No.182 of 2023 shall continue to operate till the next date of hearing.

//TRUE COPY//

Sd/- V. SAVITRI GOWRI
ASSISTANT REGISTRAR


SECTION OFFICER

To,

1. One CC to SRI.PEETA RAMAN Advocate [OPUC]
2. One CC to SRI A.S.C BOSE, Standing Counsel [OPUC]
3. One CC to SRI. NAGARAJU NAGURU, Standing Counsel [OPUC]
4. Two CCs to GP for Municipal Administration & Urban Development, High Court of Andhra Pradesh. [OUT]
5. Two CCs to GP FOR REVENUE, High Court of Andhra Pradesh. [OUT]
6. Two spare copies

HIGH COURT

HC,J
&
RC,J

DATED: 29.01.2025

NOTE: LIST ON 30.04.2025.

ORDER

WP(PIL).No.182 of 2023

INTERIM ORDER EXTENDED

