

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

TUESDAY, THE FIFTH DAY OF SEPTEMBER,
TWO THOUSAND AND TWENTY THREE

:PRESENT:

THE HONOURABLE SRI JUSTICE RAVI NATH TILHARI
WRIT PETITION NO: 20723 OF 2023



Between:

1. Venigandla Subba Rao, S/o. Bala Kotaiah, R/O H.No. 24-1-57, G.B.C.Road , Ponnur Municipality Tax assessment number 1025002857
2. Amara Satya Narayana, S/o. Narayana, R/o. H.No. 2-1-65, G.B.C.Road, Ponnur 522 124, Guntur Dt. Municipality Tax assessment number. 1025005308
3. Shaik Baji, S/o. Karimullah, D/o. No. 22-8-2, G.B.C.Road, Ponnur, 522125, Guntur Dt. Municipality Tax assessment number. 1025009459
4. Alapati Shubhashini, W/o. Venkateswara Rao (Late), D/o No.-2-1-63 G.B.C.Road, Ponnur, 522125, Guntur Dt, Municipality Tax assessment number. 1025005333
5. Vadalasetty Venkateswarlu, S/o. Kotaiah, D/o. H.No 2-1-12 G.B.C.Road, Ponnur, Guntur Dt. Municipality Tax assessment number. 1025005266
6. G.V.N. Ramesh, S/o. G.V. Subba Rao, R/o. D. No. 24-1-39, G.B.C.Road, Ponnur, Guntur Dt. Municipality Tax assessment number. 1025005265
7. Majeti Nagamanba, W/o. Pandu Ranga Rao, R/o. D/o. No.- 2-1-21, G.B.C Raod, Ponnur, Guntur Dt. Municipality Tax assessment number. 1025005275
8. Maturi surya prakasarao, S/o. Anjaneyulu, R/o. D. No. 2-1-53, G.B.C Road, Ponnur, Guntur Dt. Municipality tax assessment number.- 1025005306
9. Alapati lakshmi sarada, W/o. Satyanarayana, R/o. D. No. 23-1-3, G.B.C Road, Ponnur, Guntur Dt. Municipality Tax assessment number. 1025009485 10.
10. Alapati venkata naga Lakshmi, W/o. Omakar Nadh, R/o- 23-1-2/2, G.B.C Road, Ponnur, Guntur Dt., Municipality tax assessment number.- 1025009488
11. Khasim Md., S/o. Mahammad Ikbali, R/o. D. No. 2-1-78, GBC Road, Ponnur, Guntur District.

...Petitioners

AND

1. The State of Andhra Pradesh, Rep. by its Principal Secretary Municipal Administration and Urban Development Secretariat, Velagapudi, Amaravathi
2. The Ponnur Municipality, Rep. by its Commissioner

...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 a writ more particularly in the form of Writ of Mandamus declaring the action of the Respondents, particularly the 2nd Respondent in trying to demolish our properties situated at situated at GBC Road, i.e. form Rural Police Station to Sri. Koppaka Venkaiah Vegetable Market, Ponnur, without paying due compensation in terms of the Right to Fair Compensation and Transparency in Land Acquisition and Rehabilitation and Resettlement Act of 2013 as illegal, arbitrary, violative of the provisions of the Andhra Pradesh Municipalities Act, 1965, violative of principals of natural justice, violative of Articles 19, 21 and 300A of the Constitution of India. And consequently direct the Respondents to follow due process prescribed under law if in any case they want to interfere with the buildings of the Petitioners only after paying

due compensation as contemplated under the Right to Fair Compensation and Transparency in Land Acquisition and Rehabilitation and Resettlement Act of 2013.

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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 to direct the Respondents not to demolish in any manner or interfere with the possession of our properties located at GBC Road, i.e. from Rural Police Station to Sri. Koppaka Venkaiah Vegetable Market, Ponnur, Pending disposal of WP 20723 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 order of the High Court order dated 14.08.2023 made herein and upon hearing the arguments of Sri Varun Byreddy Advocate for the Petitioners, GP for Municipal Admn Urban Dev for the Respondent No.1 & Sri M.Manohar Reddy, Standing Counsel for the Respondent No.2, the Court made the following;

ORDER

"1. Sri M.Manohar Reddy, learned Standing Counsel for the respondent No.2, prays for further time to file counter affidavit.

2. Post on 03.10.2023.

3. Interim Order granted earlier dated 14.08.2023 is extended in terms thereof, until the next date of adjournment."

//TRUE COPY//

**Sd/- A. VIJAY BABU
ASSISTANT REGISTRAR**

SECTION OFFICER

For ,

To,

1. One CC to Sri Varun Byreddy Advocate [OPUC]
2. Two CCs to GP for Municipal Admn Urban Dev, High Court Of Andhra Pradesh. [OUT]
3. One CC to Sri M.Manohar Reddy, Standing Counsel [OPUC]
4. One spare copy

MM

HIGH COURT

RNT,J

DATED: 05/09/2023

NOTE: POST ON 03.10.2023

ORDER

WP.No.20723 of 2023

DIRECTION EXTENDED

