Date of reserved for orders :
Date of pronouncement : 06.07.2026
Date of uploading :

APHC010128942022

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

MONDAY, THE 6th DAY OF JULY 2026

PRESENT

THE HONOURABLE SRI JUSTICE HARINATH.N

WRIT PETITION NO: 7797, 11248 and 11837 of 2022

Between:

1. GUTHIKONDA SRINIVAS, S/O G. SUBHAS CHANDRA BOSE, REP. BY GPA SRI. G. SUBHAS CHANDRA BOSE, R/O. H.NO. 7-14-2 GUDLAVALLERU, KRISHNA DISTRICT.

...PETITIONER

AND

1. THE STATE OF ANDHRA PRADESH, REP. BY ITS PRINCIPAL SECRETARY, MUNICIPAL ADMINISTRATION AND URBAN DEVELOPMENT, SECRETARIAT BUILDINGS, VELAGAPUDI, AMARAVATI, ANDHRA PRADESH.
2. THE GREATER VISAKHAPATNAM MUNICIPAL CORPORATION GVMC, REP. BY ITS COMMISSIONER, VISAKHAPATNAM.
3. THE COMMISSIONER, VISAKHAPATNAM MUNICIPAL CORPORATION, VISAKHAPATNAM DISTRICT.
4. THE DISTRICT COLLECTOR, VISAKHAPATNAM, VISAKHAPATNAM DISTRICT.
5. THE TAHSILDAR, VISAKHAPATNAM RURAL, VISAKHAPATNAM 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 tomay be pleased to issue an order or direction especially one in the nature of writ of mandamus declaring the proceedings in BA.No. 10872/2013/ACP 1/ DCP-1, dated 26.12.2021 of the 3rd respondent Commissioner, Greater Visakhapatnam Municipal Corporation, Visakhapatnam as contrary to law, illegal, arbitrary and without application to the facts and consequently direct the 2nd and 3rd respondent to consider the application dated 20.10.2021 submitted by the petitioner for renewal of the building permission granted Vide proceedings in BA.No. 10872/2013/ACP-1/DCP-1, dated 02.01.2015 and to pass such

IA NO: 1 OF 2022

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 may be pleased to direct the 2nd and 3rd respondents to consider the application dated 20.10.2021 submitted by the petitioners for renewal of the permission granted Vide proceedings in BA. No. 10872/2013/ACP-1/DCP-1, dated 02.01.2015 notwithstanding the proceedings in BA. No. 10872/2013/ACP-1/DCP-1, dated 26.12.2021 of the 3rd respondent pending disposal of the Writ Petition and to pass such

IA NO: 2 OF 2022

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 may be pleased to suspend the proceedings in BA. No. 10872/2013/ACP-1/DCP-1, dated 26.12.2021 of the 3rd respondent commissioner, Greater Visakhapatnam Municipal Corporation, Visakhapatnam pending disposal of the Writ Petition and to pass such

Counsel for the Petitioner:

1. AKULA VAMSI KRISHNA

Counsel for the Respondent(S):

1. GP FOR MUNCIPAL ADMN URBAN DEV

WRIT PETITION 11248 of 2022

Between:

1. GUTHIKONDA SRINIVAS, S/O G. SUBHAS CHANDRA BOSE, REP. BY GPA SRI. G. SUBHAS CHANDRA BOSE, R/ O. H. NO. 7-14-2 GUDLAVALLERU, KRISHNA DISTRICT.

...PETITIONER

AND

1. THE STATE OF ANDHRA PRADESH, REP. BY ITS PRINCIPAL SECRETARY, MUNICIPAL ADMINISTRATION AND URBAN DEVELOPMENT, SECRETARIAT BUILDINGS, VELAGAPUDI, AMARAVATI, ANDHRA PRADESH.
2. THE GREATER VISAKHAPATNAM MUNICIPAL CORPORATION GVMC, REP. BY ITS COMMISSIONER, VISAKHAPATNAM.
3. THE COMMISSIONER, VISAKHAPATNAM MUNICIPAL CORPORATION, VISAKHAPATNAM DISTRICT.
4. THE DISTRICT COLLECTOR, VISAKHAPATNAM, VISAKHAPATNAM DISTRICT.
5. THE TAHSILDAR, VISAKHAPATNAM RURAL, VISAKHAPATNAM 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 to issue an order or direction especially one in the nature of writ of mandamus declaring the proceedings in BA.No. 10871/2013/ACP I/DCP-I/GI, dated 24.03.2022 of the 3rd respondent Commissioner, Greater Visakhapatnam Municipal Corporation, Visakhapatnam cancelling/revoking the building permission and the connected proceedings dated in BA.No. 10871/2013/ACP-I/DCP-1/G1, 24.03.2022 issued by the 3rd respondent GVMC in rejecting the building renewal application as contrary to law, illegal, arbitrary and without application to the facts and consequently direct the 2nd and 3rd respondent to renew the building permission granted Vide proceedings in BA.No. 10871/2013/ACP-I/DCP-I/GI, dated 18.05.2015 in respected of the building 'C' subject property and to pass such

IA NO: 1 OF 2022

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 may be pleased to direct the 2nd and 3rd respondents to permit the petitioner to complete the construction of the remaining building 'C' notwithstanding the impugned orders, pending disposal of this Writ Petition and to pass suc

IA NO: 2 OF 2022

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 may be pleased to suspend the proceedings in BA.No. 10871/2013/ACP-I/DCP-I/GI, dated 24.03.2022 of the 3rd respondent commissioner, Greater Visakhapatnam Municipal Corporation, Visakhapatnam cancelling/ revoking the permission granted pending disposal of the Writ Petition and to pass such

Counsel for the Petitioner:

1. AKULA VAMSI KRISHNA

Counsel for the Respondent(S):

1. GP FOR REVENUE
2. GP FOR MUNCIPAL ADMN URBAN DEV

WRIT PETITION.No.11837 of 2022

Between:

1. GUTHIKONDA SRINIVAS, S/O G. SUBHAS CHANDRA BOSE, REP. BY GPA SRI. G. SUBHAS CHANDRA BOSE, R/ O. H. NO. 7-14-2 GUDLAVALLERU, KRISHNA DISTRICT.

...PETITIONER

AND

1. THE STATE OF ANDHRA PRADESH, REP. BY ITS PRINCIPAL SECRETARY, MUNICIPAL ADMINISTRATION AND URBAN DEVELOPMENT, SECRETARIAT BUILDINGS, VELAGAPUDI, AMARAVATI, ANDHRA PRADESH.

2. THE GREATER VISAKHAPATNAM MUNICIPAL CORPORATION GVMC, REP. BY ITS COMMISSIONER, VISAKHAPATNAM.

3. THE COMMISSIONER, VISAKHAPATNAM MUNICIPAL CORPORATION, VISAKHAPATNAM DISTRICT.

4. THE DISTRICT COLLECTOR, VISAKHAPATNAM, VISAKHAPATNAM DISTRICT.

5. THE TAHSILDAR, VISAKHAPATNAM RURAL, VISAKHAPATNAM 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 to issue an order or direction especially one in the nature of writ of mandamus declaring the proceedings in BA.No. 10871/2013/ACP I/DCP-I/GI, dated 24.03.2022 of the 3rd respondent Commissioner, Greater Visakhapatnam Municipal Corporation, Visakhapatnam cancelling/revoking the building permission and the connected proceedings dated in BA.No. 10871/2013/ACP-I/DCP-1/G1, 24.03.2022 issued by the 3rd respondent GVMC in rejecting the building renewal application as contrary to law, illegal, arbitrary and without application to the facts and consequently direct the 2nd and 3rd respondent to renew the building permission granted Vide proceedings in BA.No. 10871/2013/ACP-I/DCP-I/GI, dated 18.05.2015 in respected of the building 'C' subject property and to pass such

IA NO: 1 OF 2022

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 may be pleased to direct the 2nd and 3rd respondents to permit the petitioner to complete the construction of the remaining building 'C' notwithstanding the impugned orders, pending disposal of this Writ Petition and to pass suc

IA NO: 2 OF 2022

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 may be pleased to suspend the proceedings in BA.No. 10871/2013/ACP-I/DCP-I/GI, dated 24.03.2022 of the 3rd respondent commissioner, Greater Visakhapatnam Municipal Corporation, Visakhapatnam cancelling/ revoking the permission granted pending disposal of the Writ Petition and to pass such

Counsel for the Petitioner:

1. AKULA VAMSI KRISHNA

Counsel for the Respondent(S):

1. GP FOR REVENUE
2. GP FOR MUNCIPAL ADMN URBAN DEV

The Court made the following:

COMMON ORDER :

Petitioner has developed the land into residential blocks consisting of 3 blocks namely A, B and C, in that regard the petitioner obtained building permission from the competent respondent authority on 02.01.2015. It is submitted that when the construction was under way the respondent No.2 has issued the proceedings dated 26.12.2021 notifying the petitioner about revoking of the permission and further directed the petitioner to stop the construction activity as any construction on the said property would be considered as unauthorized construction.

2. Learned counsel appearing for the petitioner submits that the proceedings of the District Collector dated 04.01.2017 have triggered the issuance of the impugned proceedings. It is submitted that this Court while admitting the writ petitioner on 29.03.2022, directed the respondent not to take coercive steps for demolishing of subject property and further directed not to make any construction over the subject property. It is submitted that the petitioner availed the statutory remedy under section 22A (4) before the Government bringing to the notice of the competent authority the consequential proceedings issued by the District Collector and the illegal impugned order passed by the respondent No.2. It is submitted that the competent authority has considered the appeal preferred by the petitioner and has specifically observed that the impugned proceedings of Respondent No.2, as well as the proceedings of the District Collector relied upon for issuing the

impugned proceedings, were based merely on press reports published in the local newspapers.

3. A specific finding has been recorded in the order passed by the competent authority dated 18.04.2026 that the subject land in Survey No. 367/4 has no connection whatsoever with the land in Survey No. 367/1 and that the District Collector proceeded on an erroneous assumption while issuing the proceedings.

4. The competent authority vide order dated 18.04.2020 has set aside the proceedings of the District Collector dated 04.01.2017. It is submitted by the learned counsel for the petitioner that the consequent proceedings impugned in the present writ petition would have to be set aside as basis for issuance of the impugned proceedings is the proceeding of the District Collector dated 04.01.2017.

5. Considering the submissions and after perusing the order passed by the competent authority dated 18.04.2026 the impugned proceedings are hereby set aside and the petitioner shall approach the respondent No.2 for renewal of the building permission and the respondent No.2 of receipt of such application from the petitioner issue necessary proceedings renewing the building permission to the petitioner. It is made clear that the respondent shall not interfere with the possession and enjoyment of the construction activity of the petitioners without following due procedure of law. With the above said observations the writ petition stands disposed of.

6. Pending miscellaneous petitions, if any, shall stand closed.

JUSTICE HARINATH.N

06.07.2026
CMK

Whether the order is:

Speaking		Reasoned	☑
Reportable		Non-reportable	☑

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THE HONOURABLE SRI JUSTICE HARINATH.N

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CMK