APHC010472832016

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

TUESDAY, THE 21st DAY OF JULY 2026

PRESENT

THE HONOURABLE SRI JUSTICE HARINATH.N

WRIT PETITION NO: 31804/2016

Between:

1. MANNE SAMBASHIVA RAO,, S/O M. GOPAL RAO, AGED 66 YEARS, OCC: BUSINESS R/O YENIKEPADU VILLAGE, VIJAYAWADA RURAL MANDAL, KRISHNA DISTRICT.

...PETITIONER

AND

1. THE STATE OF ANDHRA PRADESH REPRESENTED BY ITS PRINCIPLE, SECRETARY, MUNICIPAL ADMINISTRATION AND URBAN DEVELOPMENT DEPARTMENT, ANDHRA PRADESH SECRETARIAT, HYDERABAD.
2. THE CAPITAL REGION DEVELOPMENT AUTHORITY, REPRESENTED BY ITS COMMISSIONER, VIJAYAWADA, KRISHNA DISTRICT.
3. THE GRAMPANCHAYAT, YENIKEPADU VILLAGE, VIJAYAWADA RURAL MANDAL, KRISHNA DISTRICT. REPRESENTED BY ITS SECRETARY.

...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 toIssue an appropriate Writ, order or direction, more particularly one in the nature of Writ of Mandamus, declaring the action of the Respondents and their officials in trying to demolish the Petitioners building admeasuring in an extent of 577.8 Sy. Yds in R.S. No. 160/5, at Yenikepadu Village at Yenikepadu Village, Vijayawada Rural, Krishna. District as being illegal, arbitrary, violative of principles of natural justice and violative of Articles 14, 21 and 300-A of the Constitution of India and consequently to direct the respondents not to demolish the petitioners building and pass

IA NO: 1 OF 2016(WPMP 39330 OF 2016

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 direct the Respondents not to demolish the Petitioners building admeasuring in an extent of 577.8 Sy. Yds in R.S. No. 160/5, at Yenikepadu Village at Yenikepadu Village, Vijayawada Rural, Krishna District, pending disposal of the above Writ Petition and pass

IA NO: 1 OF 2017(WVMP 1701 OF 2017

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

vacate the interim orders passed in WPMP.No. 39330 of 2016 WP.No. 31804 of 2016 dt. 19.09.2016 and pass

Counsel for the Petitioner:

1. P SHASHI KIRAN

Counsel for the Respondent(S):

1. A S C BOSE
2. GP-MUNCIPAL ADMN AND URBAN DEV(AP)
3. ELEVATED AS JUDGE

The Court made the following:

THE HONOURABLE SRI JUSTICE HARINATH.N
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ORDER:

1. The present writ petition is filed by the petitioner being aggrieved by the action of the respondents and their officials in trying to demolish the petitioner's building situated in R.S.No.160/5 at Yenikepadu Village, Vijayawada Rural, Krishna District.

2. The petitioner claims title and ownership over the said property and obtained construction permission for constructing a residential dwelling unit. The petitioner is now aggrieved by the threatened action of the respondents to demolish the petitioner's property. It is submitted that the respondents are bound to follow the due procedure contemplated under Sections 114 and 115 of the Andhra Pradesh Capital Region Development Authority (APCRDA) Act, 2014. It is further submitted that any action taken by the respondents without following the said statutory provisions would be illegal and arbitrary.

3. This Court, *vide* order dated 19.09.2016, granted an interim direction as prayed for.

4. Today, when the matter is taken up for hearing, the learned Standing counsel appearing for respondent No.2 submits that the respondents shall follow the due process of law as contemplated under the APCRDA Act, 2014, in the event any further action is required to be taken against the petitioner's property by the respondents.

5. Recording the same, the present writ petition is disposed off, leaving it open for respondent No.2 to proceed against the petitioner's property only by following the due process of law as contemplated under the APCRDA Act, 2014. There shall be no order as to costs.

Pending miscellaneous petitions, if any, shall stand closed.

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JUSTICE HARINATH.N

Date:21.07.2026
KGM

Whether the order is :
Speaking Yes/No / Reasoned Yes/No
Reportable Yes/No / Non-Reportable Yes/No

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Date: 21.07.2026

KGM