Date of reserved for orders :
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APHC010710412014

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

WEDNESDAY, THE 1st DAY OF JULY 2026

PRESENT

THE HONOURABLE SRI JUSTICE HARINATH.N

WRIT PETITION NO: 17944/2014

Between:

1. SHAIK AHMED BASHA,, S/O. LATE S.KHADER MOHIDDIN SAHEB, AGED ABOUT 65 YEARS, OCC: BUSINESS, R/O. DOOR NO. 20/255, B.K.M.STREET, KADAPA CITY, Y.S.R DISTRICT.
2. SHAIK AZEEMUDDIN,, S/O. SHAIK AHAMED BASHA, AGED ABOUT 40 YEARS, OCC: BUSINESS, R/O.DOOR NO.20/252, B.K.M.STREET, KADAPA CITY, Y.S.R.DISTRICT

...PETITIONER(S)

AND

1. THE KADAPA MUNICIPAL CORPORATION, REP., BY ITS COMMISSIONER, KADAPA, Y.S.R.DISTRICT.
2. THE CITY PLANNER, KADAPA MUNICIPAL CORPORATION, KADAPA, Y.S.R.DISTRICT.
3. THE ASSISTANT CITY PLANNER, KADAPA MUNICIPAL CORPORATION, KADAPA Y.S.R.DISTRICT.
4. SHAIK KAREMULLA, S/O RAHEEM SAHEB, AGED ABOUT 47 YEARS, OCC: PRIVATE EMPLOYEE, R/O. DOOR NO.19/420, S.F.S.STREET, KADAPA CITY, Y.S.R.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 toto issue and appropriate Writ, order or direction more particularly one in the nature of Writ of Mandamus declaring the inaction on the part of the respondent No.1 to 3 in preventing the illegal constructions being raised by the respondent No.4 in the premises bearing Door No.20/253 and 20/254 of

B.K.M.Street, Kadapa City, Y.S.R.District contrary to the building plan approval granted in his favour as arbitrary, illegal, abdication of the statutory duty cast on them and contrary to the provisions of the Greater Hyderabad Municipal Corporation Act, 1955 apart from being voilative of the fundamental rights guaranteed to petitioner under Articles 14, 19 and 21 of the Constitution of India and consequently direct the respondents No.1 to 3 to prevent the illegal constructions being carried out by the respondent No.4 in the premises bearing Door No.20/253 and 20/254 of B.K.M.Street, Kadapa City, Y.S.R.District

IA NO: 1 OF 2014(WPMP 22491 OF 2014

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 No.1 to 3 to consider the representation, dated 28-06-2014 submitted by the petitioner No.1 and take appropriate action to prevent the illegal constructions being carried out by the respondent No.4 contrary to the building plan approval granted in his favour in the premises bearing Door No.20/253 and 20/254 of B.K.M. Street, Kadapa City, Y. S. R. District, pending disposal of the above Writ Petition

IA NO: 5 OF 2014(WPMP 107402 OF 2014

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

Counsel for the Petitioner(S):

1. V R REDDY KOVVURI

Counsel for the Respondent(S):

1. POTHAM VENGALA REDDY SC For M.Corporation in Rayalaseema region In
2. T DIWAKAR REDDY
3. P RAJANI REDDY
4. MD SALEEM (SC MC RSEEMA SPSR NLR)

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APHC010389052014

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

WEDNESDAY, THE 1st DAY OF JULY 2026

PRESENT

THE HONOURABLE SRI JUSTICE HARINATH.N

WRIT PETITION NO: 17457/2014

Between:

1. SHAIK AHMED BASHA,, S/O. LATE S.KHADER MOHIDDIN SAHEB, AGED ABOUT 65 YEARS, OCC: BUSINESS, R/O. DOOR NO. 20/255, B.K.M.STREET, KADAPA CITY, Y.S.R DISTRICT

...PETITIONER

AND

1. THE KADAPA MUNICIPAL CORPORATION, REP., BY ITS COMMISSIONER, KADAPA, Y.S.R.DISTRICT.
2. SHAIK KAREMULLA, S/O RAHEEM SAHEB, AGED ABOUT 47 YEARS, OCC: PRIVATE EMPLOYEE, R/O. DOOR NO.19/420, S.F.S.STREET, KADAPA CITY, Y.S.R.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 toto issue and appropriate Writ, order or direction more particularly one in the nature of Writ of Mandamus declaring the proceedings in BA.No.594/G/2012, dated 23-05-2013 issued by respondent No.1 herein granting Building Plan approval for

construction of G+2 floors in Door No.20/253 and 20/254 of B.K.M.Street, Kadapa City, Y.S.R.District for more extent than the extent to which he is the owner and possessor, that too without considering the objections submitted by the petitioner as arbitary, illegal, colorable exercise of power and contrary to the provisions of the Greater Hyderabad Municipal Corporation Act, 1955 apart from being voilative of fundamental rights guaranteed to the petitioner under Articles 14, 19 and 21 of the constitution of India and consequently set aside the same

IA NO: 1 OF 2014(WPMP 21844 OF 2014

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 suspend the proceedings in BA.No.594/G/2012, dated 23-05-2013 issued by the respondent No.1, pending disposal of the above Writ Petition

IA NO: 5 OF 2014(WPMP 107403 OF 2014

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

Counsel for the Petitioner:

1. V R REDDY KOVVURI

Counsel for the Respondent(S):

1. POTHAM VENGALA REDDY SC For M.Corporation in Rayalaseema region In
2. JANARDHANA RAO KATTA
3. T DIWAKAR REDDY
4. P RAJANI REDDY

COMMON ORDER:

1. The petitioners have filed these writ petitions alleging inaction on the part of the respondent Corporation in taking appropriate action against the 4th respondent's unauthorized construction. The petitioners have also sought cancellation of the building permission to the 4th respondent.

2. This Court, while admitting the writ petitions, directed the 4th respondent not to take up any further construction beyond the respective site boundaries until the existing deviations were removed. The Kadapa Municipal Corporation was also directed to conduct an inspection and submit a report regarding the setbacks.

3. It is submitted that the petitiones filed Contempt Case No.1656 of 2014 alleging violation of interim orders passed by this Court. It is further submitted by the learned counsel for the 4th respondent that, in pursuance of the directions of this Court, the Commissioner of Kadapa Municipal Corporation conducted an enquiry and inspection of the subject property and submitted a report. It is stated in the said report that the deviations pointed out by the petitioners were not found, as the height of the building was only up to 7 meters.

4. Recording the report submitted to this Court by the learned counsel for the 4th respondent, no further orders are required to be

passed on the merits of the matter. Accordingly, both the writ petitions stand disposed off, leaving it open to the petitioners to take appropriate steps before the appropriate authority, in accordance with law, in the event of any further unauthorized or deviated construction being undertaken by the 4th respondent. There shall be no order as to costs.

Miscellaneous petitions, if any, pending in this writ petition shall stand closed.

JUSTICE HARINATH.N

Date:01.07.2026
NKA

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THE HONOURABLE SRI JUSTICE HARINATH.N

WRIT PETITION NOs: 17944 and 17457 of 2014

Date: 01.07.2026

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