

**HIGH COURT OF JUDICATURE AT HYDERABAD
FOR THE STATE OF TELANGANA AND THE STATE OF ANDHRA
PRADESH**

THURSDAY, THE FOURTH DAY OF JUNE
TWO THOUSAND AND FIFTEEN

:PRESENT:

THE HON'BLE SRI JUSTICE P. NAVEEN RAO

WP .NO:15438 & 10124 of 2015

WP .NO:15438 of 2015

Between:

Gogineni Reharika D/o. Venkata Prasad,

..... Petitioner

AND

- 1 The State of Andhra Pradesh, rep. by Its Secretary, Municipal Administration
& Urban Development Authority, Hyderabad.
- 2 The Commissioner (FAC), Gudivada Municipality, Gudivada,
Krishna District.

.....Respondents

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the affidavit filed herein, the High Court may be pleased to issue an appropriate writ, order or direction, more in the nature of Mandamus, declaring the action of the 2nd respondent in issuing the impugned notice in Roc.No. 1061/2015/G1, dated 15.5.2015 directing the petitioner to remove the wall erected on the ground and Cellar Portions even without giving any opportunity to submit here explanation as being illegal, arbitrary and is in violation of Articles 14, 21 and 300-A of the Constitution of India and consequently set aside the same.

The petition coming on for hearing, upon perusing the Petition and the affidavit filed herein and order of the High Court dated 03-06-2015 made herein and upon hearing the arguments of SRI K. RATHANGA PANI REDDY Advocate for the Petitioner, GP for Municipal Administration (AP) for Respondent No.1 and of Sri Nimmagadda Venkateswarlu, Standing Counsel for Respondent No.2.

WP .NO: 10124 of 2015

-

Between:

Ch. Subrahmanyeswara Rao, S/o Venkama,

..... Petitioner

AND

- 1 The State of Andhra Pradesh Rep. by The Principle Secretary, Municipal Administration, Secretariat, Hyderabad.
- 2 The Muncipal Commissioner Gudivada Municipality, Gudivada Municipality,

Gudivada, Krishna District.

- 3 The Station House Officer, Gudivada II Town Police Station, Gudivada, Krishna District.
- 4 Chintapalli Sriram S/o Subbarao Aged 37 years, Builder, Peda Palaparru, Mudinepalli mandal, Krishna District.

.....Respondents

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the affidavit filed herein, the High Court may be pleased to declare the action of the Official Respondents in not taking any action despite of receiving the complaint of the petitioner, secretary of Venkata Sai Plaza Flat owners Association dated 3.1.2015 against the 4th Respondent builder in installing and operating the lift endangering the life of the Residents as there is complete blockade of entry and exit in ground Floor and first Floor common areas with concrete walls which is against the AP Apartments (Promotion of Construction and Ownership) Act & Rules and violating fire safety measures is illegal unlawful violating article 14 & 21 of Constitution of India consequently direct the 2nd Respondent to demolish the obstructions to the entry and exit of the lift for its safe usage by the residents of the petitioners Association members and further take action as per law and award costs against 4th respondent.

The petition coming on for hearing, upon perusing the Petition and the affidavit filed herein and order of the High Court dated 13-04-2015 made in WPMP No.13325 of 2015 and upon hearing the arguments of SRI D. SURESH KUMAR Advocate for the Petitioner, GP for Municipal Administration for Respondent No.1, Sri Nimmagadda Venkateswarlu, Standing Counsel for Respondent No.2 and of GP for Home for Respondent No.3, the Court made the following.

-
COMMON ORDER:

-
Post these writ petitions along with WP No.20362 of 2014 on 09-06-2015 in motion list.

Status quo granted earlier is extended by two weeks.

ASSISTANT REGISTRAR

//TRUE COPY//

For ASSISTANT REGISTRAR

To

- 1 Two CC to GP for Municipal Administration (AP), High Court, Hyderabad (OUT)
2. One CC to SRI K. RATHANGA PANI REDDY Advocate (OPUC)
3. One CC to SRI D. SURESH KUMAR Advocate (OPUC)
4. One spare copy.

Tvr

HIGH COURT

PNRJ

ORDER

DATED: 04-06-2015

WP NO.15438 & 10124 OF 2015

STATUS QUO EXTENDED

POST ON 09-06-2015 IN MOTION LIST

**DRAFTED: TVR
DATED: 06-06-2015**

HIGH COURT

PNRJ

ORDER

DATED: 04-06-2015

WP NO.15438 & 10124 OF 2015

STATUS QUO EXTENDED

POST ON 09-06-2015 IN MOTION LIST