APHC010040342025

IN THE HIGH COURT OF ANDHRA PRADESH
AT AMARAVATI **[3333]**
(Special Original Jurisdiction)

WEDNESDAY ,THE TWENTY NINETH DAY OF JANUARY
TWO THOUSAND AND TWENTY FIVE

PRESENT

THE HONOURABLE SMT JUSTICE V.SUJATHA

WRIT PETITION NO: 2032/2025

Between:

Sri. G. Chiranjeevi **...PETITIONER**

AND

The State Of Andhra Pradesh and Others **...RESPONDENT(S)**

Counsel for the Petitioner:

1. SRI VIJAY MATHUKUMILLI

Counsel for the Respondent(S):

1. GP MUNCIPAL ADMN AND URBAN DEV AP

The Court made the following:

ORDER:

The present Writ Petition came to be filed under Article 226 of the Constitution of India seeking the following relief:-

> *"…to issue an appropriate writ more in the nature of Writ of Mandamus declaring the action of the Respondents more particularly 2 and 5 in trying to disposes the Petitioner from the shop vide No. 56 at Dwarampudi Jyothula Complex Santhacheruvu, Kakinada without there being any notice despite granting trade license vide ROC No. 10259-2024-DP, Dated 13-08-2024 as being arbitrary, illegal and violative of Articles 14, 21 and 300-A of the Constitution of India and in contravention of the Municipal bye-laws and against to principles of natural justice and consequently direct the Respondents to collect tax on par with other shops and issue such…"*

2. The petitioner herein has started a petty business at Dwarampudi Jyothula Complex wherein many others are also doing business for more than 50 years. In the year 2022, the municipal corporation has come forward to construct a complex (building) for all the shops being run since decades; as such, the 2nd respondent after conducting an enquiry to identify the owners of the shops in the said complex has submitted a report enclosing the list of owners on 14.06.2022 wherein the petitioner's name is reflected at serial No.56. Thereafter, the 2nd respondent has constructed a G+1 shopping complex and has started allotting the shops to 57 people who were vacated earlier in a phased manner. As per the list dated 14.06.2022, all the 57 shops were allotted to the respective persons and proceedings were also issued to the concerned persons. However, at the time of issuance of proceedings to the petitioner, due to General Election Code, he was not given the said proceedings, but, the petitioner was inducted in shop No.56 and was also granted trade license vide ROC.No.10259-2024-DP, dated 13.08.2024. Taking advantage of the same, the respondent authorities are trying to allot the shops to others under the influence of local leaders and are trying to

dispossess the petitioner from the said shop No.56. Aggrieved by the same, the present writ petition is filed.

3. Heard learned counsel for the petitioner and Sri. M. Krishna Rao, learned Standing Counsel for the respondent corporation.

4. Today when the writ petition came up for hearing, learned Standing Counsel representing the 2nd respondent on oral instructions has stated that the respondent authorities have conducted enquiry and have identified that the petitioner is in possession of shop No.56 and are taking steps to issue allotment orders to the petitioner with regard to shop No.56 of the Dwarampudi Jyothula Complex, Santhacheruvu, Kakinada.

5. Recording the said submission of learned Standing Counsel, this Court feels it appropriate to dispose of the writ petition by directing the respondents herein to issue allotment proceedings of shop No.56 of the Dwarampudi Jyothula Complex, Santhacheruvu, Kakinada to the petitioner herein as expeditiously as possible, preferably within a period of four (4) weeks from the date of receipt of a copy of this order. Till such time, the respondents are directed not to dispossess the petitioner from the said shop No.56 of Dwarampudi Jyothula Complex, Santhacheruvu, Kakinada.

6. Accordingly, with the above direction, the Writ Petition is disposed of. There shall be no order as to costs.

Miscellaneous petitions pending, if any, in this Writ Petition shall stand closed.

JUSTICE V.SUJATHA

Date: 29.01.2025

GSS