IN THE HIGH COURT OF ANDHRA PRADESH :: AMARAVATI
(Special Original Jurisdiction)

FRIDAY, THE TWENTY FIRST DAY OF MARCH
TWO THOUSAND AND TWENTY FIVE

PRESENT

THE HONOURABLE SRI JUSTICE SUBBA REDDY SATTI

WRIT PETITION NO: 7241 OF 2025

Between:

M/s. Godrej & Boyce Mfg.Co.Ltd, Rep by its Authorised Signatory Mr. Satish Kumar Imandi,

Having its registered Office at Pirojshanagar, Vikhroli, Mumbai - 400079, India., Branch Office at Ground Floor, LIC Building, near RTC, Visakhapatnam.

...PETITIONER

AND

1. The Union of India, Rep. by its Secretary, Ministry of Finance, New Delhi, India.
2. The Estate Officer, South Central Zonal Office, LIC of India, Saifabad, Hyderabad.
3. Life Insurance Corporation of India, represented by its Senior Divisional Manager, Visakhapatnam Divisional Office, At Jeevan Prakash Road, PB No.411, Visakhapatnam - 530004.
4. The Appellate Office under Public Premises Act -cum- Principal District Judge, Visakhapatnam.

...RESPONDENTS

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 appropriate writ or order or direction more particularly a writ in the nature of a ***WRIT OF MANDAMUS*** declaring the orders in Case No. 02/2024, dt. 30.01.2025 (Impugned Order) passed by

Respondent No. 2 and pursuant high-handed action of the Respondent No. 2 in dispossessing the Petitioner herein of the lease premises in an extent of 2,510 Sq Ft, situated in the Ground Floor of LIC Building Complex, Jeevan Bhima Road, Visakhapatnam by sealing the said premises and the inaction of Respondent No.4 in passing orders within the time prescribed under Sec.9(4) Public Premises (Eviction of Unauthorized Occupants), Act 1971 in A.S.No.27/2025, as illegal, arbitrary, unjust, without application of mind and contrary to the provisions of Public Premises (Eviction of Unauthorized Occupants), Act 1971 and rules framed thereunder and violative of Articles 14, 21 and 300A of the Constitution of India apart from being violative of Principles of Natural Justice and to consequently set aside the order dt.30.01.2025 of Respondent No. 2 and direct the Respondents to restore the possession of the Petitioner with respect to lease premises in an extent of 2,510 Sq Ft, situated in the Ground Floor of LIC Building Complex, Jeevan Bhima Road, Visakhapatnam.

IA NO: 1 OF 2025

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 to restore the possession of the Petitioner with respect to lease premises in an extent of 2,510 Sq Ft, situated in the Ground Floor of LIC Building Complex, Jeevan Bhima Road, Visakhapatnam.

IA NO: 2 OF 2025

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 to suspend the Order in Case No.02/2024, dt.30.01.2025 passed by Respondent No.2.

Counsel for the Petitioner: SRI JAVVAJI SARATH CHANDRA
Counsel for the Respondent No.1: SRI PASALA PONNA RAO, DEPUTY SOLICITOR GENERAL OF INDIA
Counsel for the Respondent Nos.2 & 3: SRI SINGAM SRINIVASA RAO
Counsel for the Respondent No.4:---------
The Court made the following: ORDER

APHC010141112025

IN THE HIGH COURT OF ANDHRA PRADESH
AT AMARAVATI [3331]
(Special Original Jurisdiction)

FRIDAY, THE TWENTY FIRST DAY OF MARCH
TWO THOUSAND AND TWENTY FIVE

PRESENT

THE HONOURABLE SRI JUSTICE SUBBA REDDY SATTI

WRIT PETITION NO: 7241/2025

Between:

1. M/S. GODREJ AND BOYCE MFG.CO.LTD,, REP BY ITS AUTHORISED SIGNATORY MR. SATISH KUMAR IMANDI. HAVING ITS REGISTERED OFFICE AT PIROJSHANAGAR, VIKHROLI, MUMBAI - 400079. INDIA., BRANCH OFFICE AT GROUND FLOOR, LIC BUILDING, NEAR RTC, VISAKHAPATNAM

...PETITIONER

AND

1. THE UNION OF INDIA, REP. BY ITS SECRETARY, MINISTRY OF FINANCE, NEW DELHI, INDIA.
2. THE ESTATE OFFICER, SOUTH CENTRAL ZONAL OFFICE, LIC OF INDIA, SAIFABAD, HYDERABAD.
3. LIFE INSURANCE CORPORATION OF INDIA, REPRESENTED BY ITS SENIOR DIVISIONAL MANAGER, VISAKHAPATNAM DIVISIONAL OFFICE, AT JEEVAN PRAKASH ROAD. PB NO.411, VISAKHAPATNAM - 530004.
4. THE APPELLATE OFFICE UNDER PUBLIC PREMISES ACT CUM PRINCIPAL DISTRICT JUDGE, VISAKHAPATNAM

...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 appropriate writ or order or direction more particularly a writ in the nature of a Writ of Mandamus declaring the orders in Case no.

02/2024, dt. 30.01.2025 (Impugned Order) passed by Respondent no. 2 and pursuant high-handed action of the Respondent no. 2 in dispossessing the Petitioner herein of the lease premises in an extent of 2,510 Sq Ft, situated in the Ground Floor of LIC Building Complex, Jeevan Bhima Road, Visakhapatnam by sealing the said premises and the inaction of Respondent No.4 in passing orders within the time prescribed under Sec.9(4) Public Premises (Eviction of Unauthorized Occupants), Act 1971 in A.S.No.27/2025, as illegal, arbitrary, unjust, without application of mind and contrary to the provisions of Public Premises (Eviction of Unauthorized Occupants), Act 1971 and rules framed there under and violative of Articles 14,21 and 300A of the Constitution of India apart from being violative of Principles of Natural Justice and to consequently set aside the order dt. 30.01.2025 of Respondent no. 2 and direct the Respondents to restore the possession of the Petitioner with respect to lease premises in an extent of 2,510 Sq Ft, situated in the Ground Floor of LIC Building Complex, Jeevan Bhima Road, Visakhapatnam and to pass such

IA NO: 1 OF 2025

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 responcents to restore the possession of the Petitioner with respect to lease premises in an extent of 2,510 Sq Ft, situated in the Ground Floor of LIC Building Complex, Jeevan Bhima Road, Visakhapatnam and to pass such

IA NO: 2 OF 2025

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 Order in Case no. 02/2024, dt. 30.01.2025 passed by Respondent no. 2 and to pass such

Counsel for the Petitioner:

1.JAVVAJI SARATH CHANDRA

Counsel for the Respondent(S):

1.SINGAM SRINIVASA RAO

2.

The Court made the following:

:: ORDER ::

Heard Sri J. Sarath Chandra, learned counsel for the petitioner and Sri S. Srinivasa Rao, learned counsel appeared for respondents 2 & 3.

2. The learned Estate Officer, South Central Zonal Office, Hyderabad, passed an order in P.P. Act Case No.02 of 2024, dated 30.01.2025, under the Public Premises (Eviction of Unauthorized Occupants) Act, 1971 (hereinafter referred to as 'the Act'), against the petitioner and others, concluding that the petitioner is an unauthorised occupant of the premises, specified in Schedule – A. The learned Estate Officer directed the respondents therein to vacate the premises, on or before 17.02.2025.

3. Impugning the said order, the petitioner filed a statutory appeal before the learned Principal District Judge, Visakhapatnam *vide* A.S.No.27 of 2026. The petitioner also filed I.A.No.396 of 2025 in the said appeal under Section XLI Rule 5 read with Section 151 of CPC and Section 9(2) of the Act. The appellate authority issued a notice to the respondents therein through the Court and Registered Post, called for the record from the Estate Officer and adjourned the matter to 28.03.2025.

4. Learned counsel for the petitioner would submit that pending the appeal since no interim order was passed, respondent No.3 took possession of the property, specified in Schedule - A on 15.3.2025 and sealed the premises. He would submit that since the appellate authority ordered notice, respondent No.3 ought not have seized the premises.

5. The learned counsel for the petitioner has drawn the attention of the Court to the order passed by the Estate Officer and made certain submissions on merits. However, when the Court pointed out regarding pendency of the

appeal, the learned counsel would urge to direct the appellate authority to pass appropriate orders in the appeal or the I.A.

6. Learned counsel appearing for respondent No.3 did not refute the said submission.

7. Section 9(4) of the Act deals with the disposal of the appeal by the appellate authority, as expeditiously as possible, preferably within one month from the date of filing of the appeal, after providing an opportunity to the parties. Sub-section (4) of the Act was substituted by Act 2 of 2015, with effect from 22.06.2015.

8. In the case at hand, there is no dispute that the appeal filed by the petitioner is pending consideration before the appropriate appellate authority and the appeal stands posted to 28.03.2025. Learned counsel for respondent No.3 would submit that the respondent No.3 entered an appearance in the appeal.

9. Given the facts and circumstances of the case, the Writ Petition is disposed of, at the stage of admission with the consent of both counsels, directing the learned appellate authority to pass appropriate orders either in A.S.No.27 of 2025 or in I.A.No.396 of 2025, strictly as per the Rules on 28.03.2025, without fail, keeping in view the peculiar facts of this case. No order as to costs.

As a sequel, pending miscellaneous petitions, if any, shall stand closed.

Sd/- G HELA NAIDU
ASSISTANT REGISTRAR

//TRUE COPY//

SECTION OFFICER

To,

1. **The Appellate Office under Public Premises Act -cum- Principal District Judge, Visakhapatnam.**
2. The Secretary, Union of India, Ministry of Finance, New Delhi, India.

3. The Estate Officer, South Central Zonal Office, LIC of India, Saifabad, Hyderabad.
4. The Senior Divisional Manager, Life Insurance Corporation of India, Visakhapatnam Divisional Office, At Jeevan Prakash Road, PB No.411, Visakhapatnam - 530004.
5. One CC to Sri Javvaji Sarath Chandra, Advocate [OPUC]
6. One CC to Sri Pasala Ponna Rao, Deputy Solicitor General of India, High Court of Andhra Pradesh. [OPUC]
7. One CC to Sri S.Srinivasa Rao, Advocate. [OPUC]
8. **Three CD Copies.**

gl

HIGH COURT

DATED:21/03/2025

ORDER

WP.No.7241 of 2025



DISPOSING OF THE WRIT PETITION
AT THE STAGE OF ADMISSION
WITHOUT COSTS