APHC010256742026

IN THE HIGH COURT OF ANDHRA PRADESH
AT AMARAVATI [3330]
(Special Original Jurisdiction)

THURSDAY, THE 29th DAY OF OCTOBER 2026

PRESENT
THE HONOURABLE SRI JUSTICE TARLADA RAJASEKHAR RAO

WRIT PETITION No.13378 of 2026

Between:

1. A SRIVANI, W/O. P.V. CHALAPATHI AGED ABOUT 55, R/O. 2/108-3 VADIYAMPET, ANANTHAPURAM ANANTHAPUR DISTRICT

...PETITIONER

AND

1. THE STATE OF ANDHRA PRADESH, REP. BY ITS PRINCIPAL SECRETARY HEALTH, MEDICAL AND FAMILY WELFARE DEPARTMENT, SECRETARIAT BUILDINGS, VELAGAPUDI AMARAVATI - 522238
2. THE DISTRICT COLLECTOR, ANANTHAPUR DISTRICT ASHOK NAGAR, ANANTHAPUR - 515001 THE DISTRICT MEDICAL HEALTH OFFICER OPPOSITE THE GOVERNMENT GENERAL HOSPITAL IN THE ANANTAVENKATA REDDY CIRCLE/GULZARPET AREA, ANANTHAPURAMU-515001.
3. THE DISTRICT MEDICAL AND HEALTH OFFICER, OPPOSITE THE GOVERNMENT GENERAL HOSPITAL IN THE ANANTAVENKATA REDDY CIRCLE/GULZARPET AREA, ANANTHAPURAMU-515001.

...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 a writ, order, or direction, more particularly one in the nature of a writ of mandamus, declaring the action of Respondent No.3 in seizing the petitioner's property, i.e., the cellar and first floor situated in an extent of 200 square yards in T.S.No.2050/1, bearing D.Nos.13-2-504, 505 and 506, situated at Ramachandranagar, Ananthapur, pursuant to the show-cause notice vide Rc.No.1/APAPMCE/DEMO/ATP/2023 dated 03.08.2025, as being

without jurisdiction, illegal, arbitrary, unconstitutional and in violation of the principles of natural justice, as well as Articles 14, 21 and 300-A of the Constitution of India, and contrary to Section 8 of the Andhra Pradesh Allopathic Private Medical Care Establishments (Registrations and Regulations) Act, 2002, and consequently direct the respondents to forthwith remove the articles and equipment lying in the subject property and release the seizure of the petitioner's said cellar and first floor situated in an extent of 200 squares in T.S.No.2050/1, bearing D.Nos.13-2-504, 505 and 506, situated at Ramachandranagar, Ananthapur, and to pass such other order or orders.

Counsel for the Petitioner:

1. PILLIX LAW FIRM

Counsel for the Respondent(S):

1. GP FOR MEDICAL HEALTH FW

The Court made the following:

THE HONOURABLE SRI JUSTICE TARLADA RAJASEKHAR RAO

WRIT PETITION No.13378 of 2026

ORDER:

The present Writ Petition is filed under Article 226 of the Constitution of India for the following relief:

> ".…….to issue a writ, order, or direction, more particularly one in the nature of a writ of mandamus, declaring the action of Respondent No.3 in seizing the petitioner's property, i.e., the cellar and first floor situated in an extent of 200 square yards in T.S.No.2050/1, bearing D.Nos.13-2-504, 505 and 506, situated at Ramachandranagar, Ananthapur, pursuant to the show-cause notice vide Rc.No.1/APAPMCE/DEMO/ATP/2023 dated 03.08.2025, as being without jurisdiction, illegal, arbitrary, unconstitutional and in violation of the principles of natural justice, as well as Articles 14, 21 and 300-A of the Constitution of India, and contrary to Section 8 of the Andhra Pradesh Allopathic Private Medical Care Establishments (Registrations and Regulations) Act, 2002, and consequently direct the respondents to forthwith remove the articles and equipment lying in the subject property and release the seizure of the petitioner's said cellar and first floor situated in an extent of 200 squares in T.S.No.2050/1, bearing D.Nos.13-2-504, 505 and 506, situated at Ramachandranagar, Ananthapur, and to pass such other order or orders……"

2. The 3rd respondent has seized the petitioner's property, i.e., the cellar and first floor situated in an extent of 200 square yards in T.S.No.2050/1, bearing D.Nos.13-2-504, 505 and 506, situated at Ramachandranagar, Ananthapur, pursuant to the show-cause notice dated 03.08.2025. The present writ petition is filed on the ground that the said action of the 3rd respondent is without jurisdiction, illegal, arbitrary, unconstitutional and in violation of the principles of natural justice and contrary to Section 8 of the Andhra Pradesh Allopathic Private Medical Care Establishments (Registrations and Regulations) Act, 2002. Consequently, prayed to direct the respondents to forthwith remove the articles and equipment lying in the subject property and release the seizure of the petitioner's property.

3. This Court, vide order dated 25.06.2026, directed the 3rd respondent to un-seize the property granting one week time with liberty to seize the equipment with an observation that the petitioner is directed to not to let the premises out for establishment of any private medical care under the aforesaid Act and further directed not to alienate or create any third party rights pending disposal of the writ petition.

4. A counter affidavit has been filed in the present writ petition asserting that the 3rd respondent would oblige any of the directions issued by this Court.

5. Learned counsel for the petitioner would submit that as directed by this Court, the 3rd respondent has un-seized the property, and however, a request was made that this Court may be granted permission for establishment of a private medical care by the petitioner's daughter, as the petitioner's daughter is a doctor.

6. Therefore, if the petitioner made any application for establishment of a private medical care by the petitioner's daughter, the 3rd respondent is directed to pass appropriate orders in accordance with law and the 3rd respondent and the petitioner are directed not to create any third party rights over the subject property for a period of six (6) months from the date of this order.

7. With the above direction, the Writ Petition is disposed of. There shall be no order as to costs.

As a sequel thereto, Interlocutory Applications pending, if any, shall stand closed.

JUSTICE TARLADA RAJASEKHAR RAO

Date: 29.10.2026

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THE HON'BLE SRI JUSTICE TARLADA RAJASEKHAR RAO

WRIT PETITION No.13378 of 2026

Date: 29.10.2026

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