APHC010316782026

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

FRIDAY,THE NINETEENTH DAY OF JUNE
TWO THOUSAND AND TWENTY SIX
PRESENT
THE HONOURABLE SRI JUSTICE HARINATH.N
WRIT PETITION NO: 16553/2026

Between:

1. MADAKA VARA LAKSHMI, AGED 44 YEARS W/O. MADAKA PERRA RAJU, H.NO. 1-9/2, CHAKALI VEEDHI, PURUSHOTHAPURAM VILLAGE, PENDURTHI MANDAL, VISAKHAPATNAM DISTRICT.

...PETITIONER

AND

1. THE STATE OF ANDHRA PRADESH, REP. BY ITS PRINCIPAL SECRETARY, MUNICIPAL ADMINISTRATION AND URBAN DEVELOPMENT DEPARTMENT, SECRETARIAT, VELAGAPUDI, GUNTUR DISTRICT- 522238.
2. THE GREATER VISAKHAPATNAM MUNICIPAL CORPORATION, REP BY ITS COMMISSIONER, VISAKHAPATNAM-531173.
3. THE ZONAL COMMISSIONER, PENDURTHI ZONE, GVMC, VISAKHAPATNAM - 531173
4. ASSISTANT CITY PLANNER, PENDURTHI ZONE, GVMC, VISAKHAPATNAM - 531173
5. TOWN PLANNING OFFICER, PENDURTHI ZONE, GVMC, VISAKHAPATNAM - 531173
6. THE DISTRICT COLLECTOR, VISAKHAPATNAM-531173.
7. THE REVENUE DIVISIONAL OFFICER, VISAKHAPATNAM-531173.
8. THE TAHSILDAR, PENDURTHI MANDAL, VISAKHAPATNAM - 531173
9. THE ASSISTANT ENGINEER, PENDURTHI GVMC, A.P.STATE HOUSING CORPORATION LTD. VISAKHAPATNAM - 531173.

...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 topleased to Issue a Writ, Order or Direction, more particularly one in the nature of a Writ of Mandamus, declaring the action of the respondents in contemplating to dispossess the Petitioner from her property at H.No.1-9/2, Chakali veedhi in Sy.No.8 to an extent of 88 Sq.yds, of Purushothapuram Village, Pendurthi Mandal, Visakhapatnam District, without issuing any notice, conducting any inquiry, or passing any orders, as being illegal, arbitrary, unjust, mala fide, violative of the principles of natural justice and contrary to Articles 14,21 and 300-A of the Constitution of India and Consequently direct the respondents, their subordinates, agents,or any person claiming through them, not to interfere with the Petitioner's peaceful possession and enjoyment

of the subject land in any manner, including by way of demolition or dispossession and Pass

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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 pleased to direct the respondents not to dispossess the Petitioner or demolish the ongoing construction at H.No.1-9/2, Chakali veedhi in Sy.No.8 to an extent of 88 Sq.yds, of Purushothapuram Village, Pendurthi Mandal, Visakhapatnam District, and pass

Counsel for the Petitioner:

1. THATHIREDDY ASHOK SRIVASTAVA

Counsel for the Respondent(S):

1. GP FOR REVENUE
2. GP MUNCIPAL ADMN AND URBAN DEV AP

The Court made the following:

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ORDER:-

1. The Petitioner was granted a patta on 15.10.2025 in respect of an extent of 88 square yards situated at Purushothapuram Village, Pendurthi Mandal, Visakhapatnam District. Thereafter, the Petitioner obtained the requisite sanction under the Pradhan Mantri Awas Yojana (PMAY) Scheme for construction of a dwelling unit. The Petitioner became entitled to financial assistance in the form of a subsidy of Rs.1,50,000/- from the Central Government and Rs.1,00,000/- from the State Government for the purpose of construction of the dwelling unit.
2. The learned counsel for the petitioner further submits that the respondents are trying to interfere with the construction activity of the petitioner.
3. The learned standing counsel for the respondent Nos.2 to 5 on oral instructions submits that the petitioner has not obtained permission from the respondent No.2, as such the men were sent for inspecting the construction activity of the petitioner.
4. In reply, the learned counsel for the Petitioner submits that the Petitioner has obtained financial assistance from the Andhra Pradesh State Housing Corporation Limited for construction of a dwelling unit. It is further submitted that the Petitioner has commenced construction of the house on the patta land granted to him and that the building design submitted by the Petitioner for construction of the dwelling unit has been duly approved by Respondent No. 9.
5. It is further submitted that, under the Scheme formulated for construction of the house, the Petitioner is required to commence construction

immediately upon issuance of the proceedings sanctioning the house. It is also submitted that the construction is required to be undertaken in an extent of not less than 420 square feet, with a plinth area of 325 square feet, comprising a hall, one bedroom, and a toilet. Further, the beneficiary is also mandated to upload the photographs of the construction to enable him to receive the subsidy amount. The learned standing counsel for the respondent Municipal Corporation submits that the petitioner ought to submit a formal application by paying a nominal fee of Rs.1/- to notify the respondent about the construction.

6. Considering the submissions, that the 2nd respondent would have to be notified about construction of house under scheme, the petitioner shall submit a formal application by paying nominal fee intimating the 2nd respondent about the construction of house under Pradhana Mantri Aavas Yojana (PMAY) Scheme. It is also made clear that the respondents shall not interfere with the construction activity of the petitioner.

7. Accordingly, the writ petition is disposed off. There shall be no order as to costs.

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

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JUSTICE HARINATH.N

Dated 23.06.2026
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THE HONOURABLE SRI JUSTICE HARINATH.N

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Dated 23.06.2026

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