

APHC010134042026



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

[3328]

THURSDAY, THE TWELFTH DAY OF MARCH  
TWO THOUSAND AND TWENTY SIX

**PRESENT**

**THE HONOURABLE SRI JUSTICE GANNAMANENI RAMAKRISHNA  
PRASAD**

**WRIT PETITION NO: 7048/2026**

**Between:**

1. AKULA V S SRINIVASA RAO, S/O. GOPALA KRISHNA, MALE, AGED 49 YEARS, R/O. SRINIVASA HARIVILLU, 22A-1-1 HP PETROL BUNK ROAD, VISHNU LODGE. POWER PET, ELURU, ELURU DISTRICT, ANDHRA PRADESH - 534002

**...PETITIONER**

**AND**

1. THE STATE OF AP, REPRESENTED BY ITS PRINCIPAL SECRETARY, MUNICIPAL ADMINISTRATION AND URBAN DEVELOPMENT DEPARTMENT, AMARAVATI.- 522238
2. THE ELURU MUNICIPAL CORPORATION, REPRESENTED BY ITS COMMISSIONER, NEAR BADETI PARK, 1 TOWN, CANAL ROAD, ELURU - 534001. .
3. THE TOWN PLANNING OFFICER, MUNICIPAL CORPORATION ELURU OFFICE, 22C-11-28, CHUNDURI VARI CHOULTRY STREET, MAIN BAZAR, AGRAHARAM, ELURU, ANDHRA PRADESH - 534001.
4. THE REVENUE DIVISIONAL OFFICER, ELURU MANDAL, ELURU - 534006.
5. THE TAHSILDAR, ELURU, ELURU DISTRICT - 534001

**...RESPONDENT(S):**

**Counsel for the Petitioner:**

1. SRINIVAS MANCHANAPALLI

**Counsel for the Respondent(S):**

## 1.GP MUNICIPAL ADMN AND URBAN DEV AP

**The Court made the following:****ORAL ORDER:**

Heard Sri Srinivas Manchanapalli, learned Counsel for the Writ Petitioner, Sri K.N. Krishna Kumar, learned Assistant Government Pleader for Municipal Administration & Urban Development (Respondent No.1) and Sri S. Vijay Kumar, learned Counsel appearing on behalf of Sri A.S.C. Bose, learned Standing Counsel for Eluru Municipal Corporation.

2. Sri S. Vijay Kumar, learned Counsel appearing on behalf of Sri A.S.C. Bose, learned Standing Counsel for Eluru Municipal Corporation, has submitted the Written Instructions. Copy of it is supplied to the learned Counsel for the Writ Petitioner and the same is taken on record.

3. Learned Counsel for the Writ Petitioner has drawn the attention of this Court to the impugned Notice dated 02.03.2026 (Ex.P.1). He would submit that without any prior Show Cause Notice calling for explanation from the Writ Petitioner, the Respondent Authorities have straightaway issued the impugned Notice alleging that the Petitioner is an encroacher. He would submit that only seven (7) days time is given to the Writ Petitioner to give a reply, which time is inadequate.

4. This Court has perused the impugned Notice and noticed that only 7 days time is given to the Writ Petitioner for giving a written explanation to show cause as to why action should not be initiated for illegal encroachment.

5. Having considered the contentions of the learned Counsel for the Writ Petitioner, this Court deems it appropriate to alter the period of 7 days to a period of three (3) weeks for the Writ Petitioner to submit a written explanation along with material documents to establish his case. From the date of receipt of the written explanation, the Respondent Authorities shall conduct an enquiry and hearing of the parties, if necessary or if requested, and pass a

Speaking Order in accordance with law within a period of three (3) weeks thereafter.

6. There shall be a further direction to the Respondent Authorities not to take any coercive steps against the Writ Petitioner for a period of two (2) weeks from the date of receipt of the Speaking Order by the Writ Petitioner.

7. With these observations and directions, this Writ Petition stands disposed of. No order as to costs.

8. Interlocutory Applications, if any, stand closed in terms of this order.

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**GANNAMANENI RAMAKRISHNA PRASAD, J**

Dt:12.03.2026

**Note:** Issue C.C today,  
B/o,  
Vns