

**HIGH COURT OF ANDHRA PRADESH: AMARAVATI**

**CHIEF JUSTICE J.K. MAHESHWARI**

**&**

**JUSTICE NINALA JAYASURYA**

**WRIT PETITION (PIL) No.13 OF 2020**

N.N.Grace, aged 55 years, Advocate,  
General Secretary, Mundadugu Praja Party

... Petitioner

Versus

The State of A.P. rep. by its Chief Secretary,  
GAD, Secretariat, Velagapudi, Amaravathi  
and others

... Respondents

Counsel for the petitioner	:	J.Sravan Kumar
Counsel for respondent No.1	:	G.P. for Home
Counsel for respondent Nos.2 & 3	:	G.P. Municipal Admn., & Urban Development
Counsel for respondent No.4	:	Sri Kasa Jaganmohan Reddy
Counsel for respondent Nos.5 to 17	:	G.P., Revenue

**ORAL ORDER**

**Dt:27.01.2020**

**Per J.K. Maheshwari, CJ**

This writ petition, in the shape of a Public Interest Litigation, has been filed seeking the following relief:

“For the reasons stated in the accompanying affidavit, it is hereby prayed that the Hon’ble Court may be pleased to issue an appropriate writ, order or direction more particularly one on the nature of Mandamus declaring the action of respondents 18 to 30 and other commercial complex owners and multi-plex theaters in the State of Andhra Pradesh in collecting parking fee from general public for parking of their two wheelers and four wheelers at various commercial complex and multi-plex theaters, hospitals, public visiting places etc., as illegal, void and also violation of Section 31 of the Andhra Pradesh Apartments (Promotion of Construction and Ownership) Act, 1987 and also violation of judgments passed by this Hon’ble Court in the case of Writ Petition Nos.1180, 1519, 6218 and 7111 of 2003 and consequently direct respondent Nos.1 to 17 to take measures for preventing collecting parking fee by the owners of commercial complex and pass such other order or orders as the Hon’ble Court may deem fit and proper in the circumstances of the case.”

2. It is, inter alia, stated that respondents 18 to 30 are collecting parking fee from the vehicles though they are not entitled as per law.

3. After hearing learned counsel for the parties, at first instance, in our considered opinion, action is required to be taken by respondents 1 to 17 in case parking fee is being collected illegally by respondents 18 to 30. Looking to the documents as available on record, for one of the Districts, when representation was submitted, show-cause notice was issued, but, thereafter, no action has been taken. Therefore, we dispose of this petition with the following directions:

The petitioner shall submit a representation along with proof of collection of parking fee by respondents 18 to 30, within a week, to the competent authority. On submitting such representation, final decision shall be taken by the competent authority within four weeks from today. If it is found that parking fee is being collected contrary to the provisions of law, action may be taken against respondents 18 to 30 in accordance with law, after affording an opportunity of hearing to them, and compliance be reported within six weeks to the Registry of this Court. No order as to costs.

As a sequel, all the pending miscellaneous applications are closed.

**J.K. MAHESHWARI, CJ**

**NINALA JAYASURYA, J**

MRR