

APHC010009842026



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

[3328]

WEDNESDAY, THE ELEVENTH DAY OF FEBRUARY
TWO THOUSAND AND TWENTY SIX

PRESENT

**THE HONOURABLE SRI JUSTICE GANNAMANENI RAMAKRISHNA
PRASAD**

WRIT PETITION NO: 1219/2026

Between:

1. YARLAGADDA MADHAVI, W/O. ARUN CHANDRA, AGED 54 YEARS, HINDU, HAVING PERMANENT RESIDENCE AT D.NO.8-44-32, VIDYA NAGAR, NEAR THREE TOWN POLICE STATION, CHINWALT AIR, VISAKHAPATNAM - 530 003 (REPRESENTED THROUGH SRI. ATTALURI PRAVEEN, AGENT DULY APPOINTED VIDE GPA DATED 17.02.2022)

...PETITIONER

AND

1. STATE OF ANDHRA PRADESH, REP. BY ITS PRINCIPAL SECRETARY, MUNICIPAL ADMINISTRATION AND URBAN DEVELOPMENT, A.P. SECRETARIAT, VELAGAPUDI, AMARAVATI ANDHRA PRADESH - 522 238

2. THE GREATER VISAKHAPATNAM MUNICIPAL CORPORATION, REP BY ITS COMMISSIONER, TENNETI BHAVAN, ASILMETTA JUNCTION, VISAKHAPATNAM - 530 003

3. THE CHIEF CITY PLANNER, GREATER VISAKHAPATNAM MUNICIPAL CORPORATION TENNETI BHAVAN, ASILMETTA JUNCTION, VISAKHAPATNAM - 530 003

...RESPONDENT(S):

Counsel for the Petitioner:

1. MEKA RAHUL CHOWDARY

Counsel for the Respondent(S):

1. A S C BOSE (SC FOR MUNICIPAL CORPORATIONS AP)

2.GP MUNICIPAL ADMN AND URBAN DEV AP

The Court made the following:

ORAL ORDER:

Heard Sri Meka Rahul Chowdary, learned Counsel for the Writ Petitioner and Sri A.S.C. Bose, learned Standing Counsel for the Greater Visakhapatnam Municipal Corporation.

2. In compliance with the Order of this Court dated 09.02.2026, Sri Ketan Garg, Commissioner, Greater Visakhapatnam Municipal Corporation, has appeared online and interacted with the Court. His appearance is dispensed with for the time-being.

3. Sri A.S.C. Bose, learned Standing Counsel for the Greater Visakhapatnam Municipal Corporation, has submitted the Written Instructions furnished by the Commissioner, GVMC. Copy of it is supplied to the learned Counsel for the Writ Petitioner as well and the same is taken on record.

4. The Written Instruction would indicate that the Corporation has admitted that the Writ Petitioner is entitled for TDR. The relevant portion of the Written Instruction is usefully extracted hereunder:

“The respondent corporation is ready to extend TDR as per G.O.Ms.No.119 MA&UD, dt. 28-03-2017, as on date of handing over of the site by the petitioner which is in force. Since any G.O issued by the government not attract with retrospective effect as claimed by the petitioner.”

5. Learned Counsel for the Writ Petitioner would submit that the Writ Petitioner is entitled for TDR basing on the prevailing ratio but not on the ratio as on the date of taking over of the land in the year 2014 when the land was used for laying of the road, whereas the Gift Deed was executed in the year 2017. It is submitted that the prevailing ratio of TDR during the relevant time was 1:2 ratio. This ratio was amended to 1:4 ratio in the year 2018. Learned Counsel for the Writ Petitioner would submit that the Petitioner is entitled for

1:4 ratio since the same has been in force since the year 2018 and that the Writ Petitioner has executed the Gift Deed only in the year 2017, which is proximate to the amended date. He would also submit that the delay in issuing TDR was not at the instance of the Writ Petitioner but at the behest of the Respondents and therefore, the Writ Petitioner would be entitled to be compensated by extending the benefit of the latest ratio (1:4).

6. Having considered the submissions of the learned Counsel for the Writ Petitioner and the facts in the Written Instruction and since the Respondent Corporation has also admitted that the Writ Petitioner is entitled for TDR, there shall be a direction to the Official Respondents to immediately issue TDR as per the old ratio and the prayer of the Writ Petitioner that the Writ Petitioner is entitled for 1:4 ratio shall be subject to the final outcome in the present Writ Petition.

7. Let Counter Affidavit be filed within three weeks. Two weeks thereafter for filing Re-joinder, if any.

8. List on 20.04.2026.

GANNAMANENI RAMAKRISHNA PRASAD, J

Dt:11.02.2026

Vns