

IN THE HIGH COURT OF ANDHRA PRADESH AT AMARAVATI
(SPECIAL ORIGINAL JURISDICTION)

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

:PRESENT:

THE HONOURABLE SRI JUSTICE GANNAMANENI RAMAKRISHNA PRASAD ✓
WRIT PETITION NO: 1219 OF 2026 ✓

Between:

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, Chinwaltair, 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. ✓

...Respondents

Petition under Article 226 of the Constitution of India is filed praying that in the circumstances stated in the affidavit filed therewith, the High Court may be pleased to issue an order or direction, in the nature of writ of Mandamus, declaring the action of the 2nd respondent in causing inordinate delay for grant of TDR in lieu of utilizing the petitioner's land to an extent of 481.84 Sq.yds. or 402.870 Sq.mtrs at Sy.Nos.29/2, 29/4P and 29/5P of Yendada Village, Visakhapatnam Rural Mandal, Visakhapatnam District for laying a 100 feet wide Master Plan Road as being illegal. arbitrary, highhanded, discriminatory

and unconstitutional and consequently direct to the 2nd respondent to grant Transferable Development Rights (TDRs) to the petitioner, in accordance with law, particularly in terms of the Rule 168 (2) (a) of the A.P. Building Rules, 2017 as amended vide G.O.Ms.No.223 MA&UD Department dated 09.07.2018, in a time bound manner.

IA NO: 1 OF 2026

Petition under Section 151 of CPC is filed praying that in the circumstances stated in the affidavit filed in support of the petition, the High Court may be pleased to direct the 2nd respondent to take action in furtherance of the representation dated 02.12.2025, as per the timelines prescribed under Memo No.2727066/M2/2025 dated 13.03.2025, pending disposal of WP 1219 of 2026, on the file of the High Court.

The petition coming on for hearing, upon perusing the Petition and the memorandum of grounds filed in support thereof and the earlier order of the High Court dated. 09.02.2026 made herein and upon hearing the arguments of Sri Meka Rahul Chowdary, Advocate for the Petitioner and of GP for MUNICIPAL ADMN AND URBAN DEV, for Respondent No.1 and of Sri S.Vijay Kumar, learned Counsel representing Sri A.S.C.Bose, Standing Counsel for Respondent Nos.2 and 3, the Court made the following

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. ✓

**SD/- K. KASIRAO ACHARI
ASSISTANT REGISTRAR**

//TRUE COPY//

SECTION OFFICER

To,

- 1. The Principal Secretary, Municipal Administration and Urban Development, State of Andhra Pradesh, A.P. Secretariat, Velagapudi, Amaravati, Andhra Pradesh - 522 238.**
- 2. The Commissioner, Greater Visakhapatnam Municipal Corporation, Tenneti Bhavan, Asilmetta Junction, Visakhapatnam - 530 003**
- 3. The Chief City Planner, Greater Visakhapatnam Municipal Corporation, Tenneti Bhavan, Asilmetta Junction, Visakhapatnam - 530 003.
(Addressee Nos. 1 to 3 by RPAD)**
- 4. One CC to Sri Meka Rahul Chowdary, Advocate [OPUC]**
- 5. Two CCs to GP MUNICIPAL ADMN AND URBAN DEV AP, High Court of Andhra Pradesh. [OUT]**
- 6. One CC to Sri A.S.C.Bose, Standing Counsel[OPUC]**
- 7. One spare copy.**

ADP

HIGH COURT

GRKP,J

DATE: 11/02/2026

LIST ON 20.04.2026

ORDER

WP.No.1219 of 2026

DIRECTION

