



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

[3328]

FRIDAY, THE TWENTY FOURTH DAY OF APRIL
TWO THOUSAND AND TWENTY SIX

PRESENT

**THE HONOURABLE SRI JUSTICE GANNAMANENI RAMAKRISHNA
PRASAD**

WRIT PETITION NO: 10338 OF 2026

Between:

1.SMT. CH. SAVITHRI,, W/O SYED ZIAUDDIN, AGED ABOUT 65
YEARS, OCC. RETIRED LECTURER, RESIDING AT FLAT NO. F-116,
A-BLOCK, JANAPRIYA APARTMENTS, OLD R.R. PETA,
VIJAYAWADA - 520001

...PETITIONER

AND

1.THE STATE OF ANDHRA PRADESH, REP., PRINCIPAL SECRETARY
TO GOVERNMENT, MUNICIPAL ADMINISTRATION AND URBAN
DEVELOPMENT DEPARTMENT, GOVERNMENT OF ANDHRA
PRADESH, SECRETARIAT, VELAGAPUDI, AMARAVATHI - 522238.

2.THE VIJAYAWADA MUNICIPAL CORPORATION, REP., BY ITS
COMMISSIONER, VIJAYAWADA - 520001.

3.THE TAHSILDAR, VIJAYAWADA URBAN, NTR DISTRICT 520001.

4.THE STATION HOUSE OFFICER, KOTHAPETA POLICE STATION, I
TOWN, VIJAYAWAD -520001.

5.THE DISTRICT FIRE OFFICER, FIRE SERVICES DEPARTMENT,
VIJAYAWADA, NTR DISTRICT -520001.

6.M/S LIVEWELL PROJECTS INDIA LIMITED, A COMPANY
INCORPORATED UNDER THE COMPANIES ACT, REPRESENTED
BY ITS MANAGING DIRECTOR / AUTHORIZED SIGNATORY,
PERAVALI CHANDRA SHEKAR RAO, S/O PERAVALI

PURUSHOTHAMDAS, HAVING ITS REGISTERED OFFICE AT PLOT NO. 503, 5TH FLOOR, VASANTHA NILAYAM, BRUNDHAVAN COLONY, VIJAYAWADA, ANDHRA PRADESH- 500010.

...RESPONDENT(S):

Counsel for the Petitioner:

1.BILAAL AHMED SYED

Counsel for the Respondent(S):

1.GP FOR HOME

2.GP FOR REVENUE

3.GP MUNICIPAL ADMN AND URBAN DEV AP

4.S.V.S.S.SIVARAM SC For VMC

The Court made the following ORAL ORDER:

Heard Sri M. Solomon Raju, learned Counsel appearing on behalf of Sri Bilaal Ahmed Syed, learned Counsel for the Writ Petitioner, Sri M. Srinu Babu, learned Assistant Government Pleader for Municipal Administration & Urban Development, Sri B. Ramesh, learned Assistant Government Pleader for Revenue and Sri G.V.S. Golli Sai, learned appearing on behalf of Sri S.V.S.S. Siva Ram, learned Standing Counsel for Vijayawada Municipal Corporations.

2. The present Writ Petition is filed seeking the following relief:

“to issue a Writ, Order or Direction, more particularly one in the nature of Writ of Mandamus declaring the action of the respondents in permitting obstruction and interference with the long-standing access road to Janapriya Apartments, Old R.R. Peta, Vijayawada as illegal, arbitrary and unconstitutional, and consequently direct the respondents to remove all obstructions, restore the original access road and ensure uninterrupted ingress and egress to the apartment complex, and pass such other order or orders as this Hon’ble Court may deem fit and proper in the circumstances of the case.”

3. The Writ Petitioner, who is the resident of Flat No.F-116, A-Block, Janapriya Apartments, Old R.R. Peta, Vijayawada, is aggrieved of the action of the Official Respondent No.2 for laying the cement road in a particular manner, which is shown in the maps submitted by the Official Respondents in L.P.No.27/2008/VJA bearing file No.C2/2140/2007. The layout, which is approved, would show that the road on the right side proceeding from South to North, where the said road takes a left turn and a right turn.

4. It is the submission of learned Counsel for the Petitioner that the residents of the apartments were using a road which is a gradual turn and the laying of the cement road by the Respondent-Corporation in the manner indicated in the layout map causes inconvenience to the Petitioner and the other residents of apartments. He would also submit that for the last 20 years,

the residents of the apartments were using the road without having so many curves and therefore learned Counsel for the Petitioner would submit that the residents have a right to use the road in the same manner without any interference and the Respondents-Corporation ought not to have laid the road with so many curves.

5. The layout bearing L.P.No.27/2008 itself would indicate that it has been approved in the year 2008 and the residents of the apartments had purchased them with the same plan with their eyes wide open. Before laying of the CC road, the spaces which belong to the private parties may have been freely used by the residents of the apartments for ingress and egress. But, that by itself does not create any vested right in them, muchless, any easementary right.

6. Since the Petitioner has purchased the apartment under the layout bearing L.P.No.27/2008 and if the Petitioner assumes that a vested right of easement has accrued to use the road in a particular manner such litigants may freely approach the appropriate forum. But, Writ Courts would not entertain such pleas.

7. Sri G.V.S. Goli Sai, Ld. Counsel appearing for the Vijayawada Municipal Corporation has also submitted the Written Instructions dated 22.04.2026 along with the Photographs and Representation submitted by one Sri Shaik Jilani Basha on 06.01.2023 to the Commissioner of Corporation with a request to prevent the Residents of the Janapriya Apartments from using the open land belonging to the said Sri Shaik Jilani Basha.

8. The Written Instructions would clearly indicate that Sri Shaik Jilani Basha is in possession of the subject land and had been paying the vacant land tax regularly and therefore, the Writ Petitioner herein has no right to claim ingress and egress in the manner that is requested. It is also stated in the Written Instruction that as per the RSR record, the said land is being shown as belonging to one Sri Gulam Mohammed. Therefore, even under this score,

the Writ Petitioner has no right to seek for any uninterrupted use of land that belongs to the private person namely Sri Gulam Mohammed.

9. In this view of the matter, this Court is of the view that the Writ Petition is devoid of any merit. Accordingly, this Writ Petition stands dismissed. No order as to costs.

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

GANNAMANENI RAMAKRISHNA PRASAD, J

Date: 24.04.2026

BSK/MNR

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HON'BLE SRI JUSTICE GANNAMANENI RAMAKRISHNA PRASAD

WRIT PETITION No.10338 OF 2026

24.04.2026

Date: 24.04.2026
BSK/MNR