

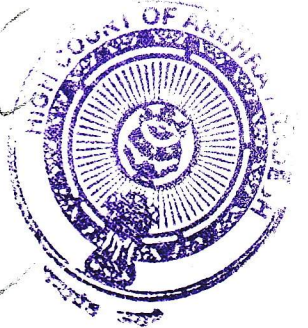
IN THE HIGH COURT OF ANDHRA PRADESH AT AMARAVATI
(SPECIAL ORIGINAL JURISDICTION)

WEDNESDAY, THE TENTH DAY OF SEPTEMBER,
TWO THOUSAND AND TWENTY FIVE

:PRESENT:

THE HONOURABLE SRI JUSTICE HARINATH.N

WRIT PETITION NO: 9532 OF 2025



Between:

Maddi Radha Krishna, S/o.Maddi Sambasiva, Aged about 62 years,
R/o.H.No.6-1-57, Flat No.14, Harsha Apartments, 1/6 Arundelpet, Guntur
District.

...Petitioner

AND

1. The State of Andhra Pradesh, Rep. by its Principal Secretary, Municipal Administration and Urban Development Department, Secretariat, Velagapudi, Amaravathi, Guntur District.
2. The Commissioner, Guntur Municipal Corporation, Guntur-522 004.
3. The City Planner, Guntur Municipal Corporation, Guntur - 522 001.
4. The Superintending Engineer, Roads and Buildings, Guntur Division, Collectorate Compound, Guntur, Guntur District.
5. The Divisional Railway Manager, Guntur Division, Pattabipuram, Guntur, Guntur District.

...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 more particularly in the nature of Writ of Mandamus declaring the action of the respondents 1 to 5 herein with the proposed construction of ROB at Guntur (Shankar Vilas Road Over Bridge) without following the mandatory procedure as arbitrary, illegal, unconstitutional and contrary to the office Memorandums dated 18.04.2022, 02.05.2022 and

15.09.2022 respectively of Ministry of Road Transport and Highways, Government of India.

IA NO: 1 OF 2025

Petition under Section 151 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 respondents herein to defer the proposed construction of ROB at Guntur (Shankar Vilas Road Over Bridge), pending disposal of WP 9532 of 2025, on the file of the High Court.

The petition coming on for hearing, upon perusing the Petition and the affidavit filed in support thereof and upon hearing the arguments of Sri K.Sairam Murthy, Advocate for the Petitioner and of GP MUNICIPAL ADMN AND URBAN DEV AP for Respondent No.1 and of Sri A.S.C.Bose, Standing Counsel for Respondent Nos.2 and 3 and of GP for R & B for Respondent No.4, the Court made the following

ORDER:

- "1. The learned senior counsel for the petitioners submits that the Assistant City Planner of the 2nd respondent was present before this Court and had assured that a passage of 10 to 12 feet for ingress and egress of the petitioners and other citizens on either side of the road over bridge (ROB) would be maintained, even during the preliminary construction of the ROB.**
- 2. The learned senior counsel further submits that the respondent authorities have failed to remove the excavated gravel, rendering the road in front of the petitioners' shops completely inaccessible. Photographs showing the present status of the said excavated gravel, which is not removed as was assured, are placed before this Court.**
- 3. The learned standing counsel for the Corporation submits that efforts are being made to remove the gravel simultaneously. The learned**

Government Pleader for R & B submits that alternate routes are available to the petitioners. ✓

4. Be that as it may, the availability of alternate routes would not entitle the respondent authorities to block 10 to 12 feet passage on either side of the ROB. The respondent authorities have failed to take timely steps for the removal of gravel, thereby obstructing ingress and egress to the petitioners' shops. That apart, the said access road also leads to two hospitals and other educational institutions. On account of the insensitivity exhibited by the respondent authorities, the residents of the locality are put to untold hardship. ✓

5. Considering the above submissions, there shall be a direction to the respondent authorities not to proceed with further expansion until and unless the excavated gravel is removed and a passage of 10 to 12 feet is ensured for ingress and egress on either side of the ROB for the petitioners and others. ✓

6. List the matter on 16.09.2025." ✓

//TRUE COPY//

SD/- M.PRABHAKARA RAO
ASSISTANT REGISTRAR

SECTION OFFICER

To,

1. The Principal Secretary, Municipal Administration and Urban Development Department, State of Andhra Pradesh, Secretariat, Velagapudi, Amaravathi, Guntur District.
2. The Commissioner, Guntur Municipal Corporation, Guntur-522 004.
3. The City Planner, Guntur Municipal Corporation, Guntur - 522 001.
4. The Superintending Engineer, Roads and Buildings, Guntur Division, Collectorate Compound, Guntur, Guntur District. ✓

5. The Divisional Railway Manager, Guntur Division, Pattabipuram, Guntur, Guntur District.(Addressee Nos. 1 to 5 by **SPEED POST**)
6. One CC to Sri K.Sairam Murthy, Advocate [OPUC]
7. One CC to Sri A.S.C.Bose, Standing Counsel [OPUC]
8. Two CCs to GP MUNICIPAL ADMN AND URBAN DEV AP, High Court of Andhra Pradesh. [OUT]
9. Two CCs to GP FOR R&B, High Court of Andhra Pradesh. [OUT]
10. One spare copy.

PSD

HIGH COURT

HN,J

DATE:10/09/2025

NOTE: LIST THE MATTER ON 16.09.2025

ORDER

WP.No.9532 of 2025

DIRECTION

