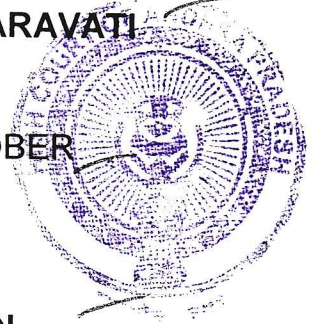


**IN THE HIGH COURT OF ANDHRA PRADESH AT AMARAVATI
(SPECIAL ORIGINAL JURISDICTION)**

**MONDAY, THE TWENTY SEVENTH DAY OF OCTOBER
TWO THOUSAND AND TWENTY FIVE**

:PRESENT:

**THE HONOURABLE SRI JUSTICE HARINATH.N
WRIT PETITION NOS: 9532 and 18522 OF 2025**



WRIT PETITION NO: 9532 OF 2025:

Between:

MaddiRadha Krishna, S/o.MaddiSambasiva, Aged about 62 years,
R/o.H.No.6-1-57, FlatNo.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 151CPC 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.

WRIT PETITION NO: 18522 OF 2025:

Between:

01. Lakkaraju Srinivasa Bharavi,
S/o lakkaraju Radha Krishna Murthy,
Aged about 61 years, Occ: Social Service,
R/o. D.No.2-14- 118/2, 3rd line extension,
Sri Venkateswara Bala Kuteer, Syamala Nagar,
Guntur, Andhra Pradesh - 522006
02. Dr V Raja Viswa Tej
S/o surya Prasad,
Aged about 39 years, Occ: Doctor,
R/o.D.No.Flat No-101, Anjani Heights,
Venugopal Nagar, 3rd Line Anjaneya Peta,
Koritepadu, Guntur,
Andhra Pradesh – 522007
03. Sudharsanam Rohit Kumar
S/o Kishore Kumar,
Aged about 31 years, Occ: Medical Staff,
R/o.D.No.28-3-50, Gajulavari street,
backside petrol bank, kankaragunta
Guntur, Andhra Pradesh - 522004
04. Anand Kumar Jain
S/O Kanthi lal,
Aged about 50 years, Occ: Business
R/o.D.No.5-98-19 Brodipet,
Main road near over bridge,
Guntur, Andhra Pradesh - 522002
05. Desu Srinivas Rao
S/o Venkata Subba Rayudu,
Aged about 51 years, Occ : Business
R/o. D.No. Flat No 202,
Sri Lakshmi Narasimha Heights

45

Guntur, Andhra Pradesh – 522034

06. Kolli Teja Govardhan,
S/o Srinivasa Rao,
Aged about 29 years, Occ: Business,
R/o. D.No.16-16-61, Sri Hari Nilayam,
3rd line old Guntur, Guntur.
07. Bathula Priyadarshini,
W/o Praveen Kumar,
Aged about 36 years, Occ: Housewife,
R/o. D.No. 25-16-162,
Lakshmi Narayanapuram,
Near Chuttugunta,
Guntur, Andhra Pradesh – 522004
08. Gottipati Havila Gold,
W/o Mahesh Babu,
Aged about 28 Years, Occ: Teacher,
R/o.D.No.6-93, Chamallamudi,
Vatticherukuru mandalam,
Guntur, Andhra Pradesh - 522017
09. Goreddy Venkateswarao
S/o Goreddy palaiah
Aged about 32 years, Occ : Private Employee,
R/o.D.No.19-9-48, Gandhi Nagar,
3rd line, chakali kunta,
Etukur Road, Guntur, Guntur,
Andhra Pradesh - 522003
10. Masabathini Kishore,
S/O Venkaiah,
Aged about 38 years, Occ: Private employee,
R/o. D.No. 5-60-3/166,
Cobald Pet, Indara Gandhi Bomma Line,
Guntur, Andhra Pradesh
11. Chirala Nagaiah
S/o Peda rosaiah,
Aged about 50 years, Occ: watchman
Ambadipudi, Atchampet, Atchampet,
Guntur, Andhra Pradesh, 522409.
12. Mandapati Srinivas,
S/o. Mandapati Venkata Subbarao,

- 5 -

Aged about 58 years, Occ: Business,
R/o. D.No.6-9-14, 9/1 th line,
Arandalpeta, Guntur,
Andhra Pradesh – 522002.

...Petitioners

AND

01. The State of Andhra Pradesh
Rep its Principal Secretary,
The Department of Municipal and Urban Development,
Secretariat Buildings, Velagapudi,
Amaravati Guntur District.
02. The Guntur Municipal Corporation,
Rep by its Commissioner,
Guntur Municipal Corporation Office,
Guntur.
03. The City Planner,
Guntur Municipal Corporation Office,
Guntur.
04. The Superintending Engineer,
Roads and Buildings,
Guntur Division,
Collectorate Compound,
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 a writ or order or direction with more particular in the nature of WRIT OF MANDAMUS declaring the action of the Respondent authorities especially Respondent No.2 in initiating works for removing the pavement rendering the service roads near ROB Shankar Vilas Guntur and closing major portion of the existing service roads near ROB, Shankar Vilas, Guntur on both sides without widening the existing service road as illegal, arbitrary, violative Article 14, 21 and 300-A of Constitution of India and consequently direct the Respondents to take up demolition construction works of ROB, Shankar Vilas, Guntur only after widening the existing service roads on both sides of the ROB, Shankar Vilas, Guntur which includes shifting of the drainage, pavement electrical poles etc., while making it clear that in the name of facilitating the construction of ROB, the exiting service roads cannot be closed or narrowed down to the extent of literally blocking the approach to hospitals, educational institutions, Railway station and other private properties.

IA NO: 1 OF 2025

Petition under Order 39 Rule 1 & 2 r/w 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 restrain all the Respondents especially the Guntur Municipal Corporation from taking any steps which effectively reduce the width of existing service roads on both sides of ROB shaker Vilas, Guntur affecting the ingress egress to the properties and institutions there in any manner including removal of pavements, drainage covers erecting barricades iron sheet partitions etc., Pending disposal of WP 18522 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 the earlier order of the High Court dated 08.05.2025 made herein 18.07.2025, 25.07.2025, 30.07.2025, 20.08.2025, 10.09.2025 & 16.09.2025 and upon hearing the arguments of Sri K.Sairam Murthy, Advocate for the Petitioner in WRIT PETITION NO: 9532 OF 2025 & M/s. K S MURTHY ASSOCIATES, Advocate for the Petitioner in WRIT PETITION NO: 18522 OF 2025, 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 & 3 and of GP for R & B for Respondent No.4, the Court made the following.

COMMON ORDER:

“The learned Senior Counsel for the petitioner(s) submits that the respondents have been given long rope to mend their attitude towards the petitioner(s) and to facilitate a 10 to 12 feet passage on either side of the proposed ROB. The present condition of the road is completely loaded with excavated debris, and the overflowing drain water on the road is making it impossible for anyone to use it.

It is submitted that the Government of India, vide proceedings dated 16.10.2024, sanctioned ROB works under the CRIF Setu Bandhan Scheme during 2024-25 for the State of Andhra Pradesh. It is also

submitted that clause 3.12 mandates the State Government to complete the pre-construction activities, including land acquisition, at their own cost, as per the Ministry's Circular dated 31.01.2020.

It is submitted that without acquiring the land, the proposed 80 feet ROB cannot be constructed as the same is not feasible. It is also submitted that the Railway authorities have so far not approved the structural designs. It is further submitted that the contractor entrusted with the work has paused the work as of now, except for excavation of earth.

The learned Assistant Government Pleader for the 4th respondent submits that the Railway authorities have accorded permission for the construction of the proposed bridge.

The 4th respondent shall file a counter specifically referring to clause 3.12 of the Government of India, Ministry of Road Transport & Highways, New Delhi, dated 16.10.2024.

The learned Standing Counsel appearing for the Municipal Corporation shall remove the gravel without causing any inconvenience.

Post these matters on 04.11.2025.”

SD/- B. PRASADA RAO
DEPUTY REGISTRAR

//TRUE COPY//


SECTION OFFICER

To,

1. The Principal Secretary, Municipal Administration and Urban Development Department, State of Andhra Pradesh, Secretariat, Velagapudi, Amaravathi, Guntur District.[By Special Messenger]
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. **(Addressees 2 to 5 by SPEED POST)**
6. One CC to Sri K.Sairam Murthy, Advocate [OPUC]
7. One CC to M/s. K S MURTHY ASSOCIATES, Advocate [OPUC]
8. One CC to Sri A.S.C.Bose, Standing Counsel, High Court of Andhra Pradesh. [OPUC]
9. Two CCs to GP MUNICIPAL ADMN AND URBAN DEV AP, High Court of Andhra Pradesh. [OUT]
10. Two CCs to GP FOR R&B, High Court of Andhra Pradesh. [OUT]
11. One spare copy.

AJ

HIGH COURT

HN,J

DATE:27/10/2025

POST THESE MATTERS ON 04.11.2025

ORDER

WP.Nos.9532& 18522 of 2025

DIRECTION

