



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

[3457]

MONDAY, THE TWENTIETH DAY OF APRIL
TWO THOUSAND AND TWENTY SIX

PRESENT

THE HONOURABLE SRI JUSTICE HARINATH.N

WRIT PETITION NO: 10341/2026

Between:

1.M G BROTHERS REAL ESTATES PVT LTD, D.NO.2-1255, 2D FLOOR, SHRI MARUTHI COMPLEX, OFFICERS LANE, K.R.PALLI, CHITTOOR-517001, REPRESENTED BY ITS DIRECTOR, M.G.RAGHAVENDRA, AGED ABOUT 43 YEARS, S/O M.R.GANGADHAR, R/O D.NO.26 - 11 - 270 MASTERS MANSION, PARADUPALLI, NELLORE CITY, NELLORE DISTRICT, ANDHRA PRADESH.

...PETITIONER

AND

- 1.THE STATE OF AP, REP. BY ITS PRINCIPAL SECRETARY, MUNICIPAL ADMINISTRATION AND URBAN DEVELOPMENT DEPARTMENT SECRETARIAT BUILDING, VELAGAPUDI.
- 2.THE STATE OF AP, REP. BY ITS PRINCIPAL SECRETARY, ENERGY DEPARTMENT, SECRETARIAT BUILDING, VELAGAPUDI.
- 3.
- 3.THE STATE OF AP, REP. BY ITS PRINCIPAL SECRETARY, FINANCE DEPARTMENT, SECRETARIAT BUILDING, VELAGAPUDI.
- 4.THE CHITTOOR URBAN DEVELOPMENT AUTHORITY, REP BY ITS VICE CHAIRMAN, OLD COLLECTORATE BUILDING, GREAMPET, CHITTOOR CITY AND DISTRICT, 517001.
- 5.SOUTHERN POWER DISTRIBUTION COMPANY OF AP LTD, REPRESENTED BY ITS CHAIRMAN AND MANAGING DIRECTOR,

KESAVAYAGUNTA, BESIDES SRINIVASA KALYANA MANTAPAM
TIRUCHANURU ROAD, TIRUPATHI.

6.THE SUPERINTENDING ENGINEER, OPERATION CIRCLE,
APSPDCL, CHITTOOR.

7.THE DIRECTOR OF TOWN AND COUNTRY PLANNING,
MANGALAGIRI, GUNTUR DISTRICT.

...RESPONDENT(S):

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the affidavit filed therewith, the High Court may be pleased to issue a Writ more particularly one in the nature of Writ of Mandamus, Declaring the inaction of the Respondents herein in refunding / returning the amount of Rs. 2,33,639/- to the Petitioner Company, which was collected as Additional Security Deposit Charges, by relying 293682D.No.98/22 dated 01.02.2022 as being illegal, arbitrary, unjust, violative of Articles 14, 19(1)(g), 21 and 300A of the Constitution of India, violative of the Electricity Act, 2003, violative of Regulation No.6 of 2004, violative of AP land development (Layout and Sub-division) rules 2017 and violative of AP Metropolitan Region and Urban Development Authorities Act, 2016, II. Consequently set aside Memo No.CGM/O M/GM/Comml./F/ 293682D.No.98/22 dated 01.02.2022, iii. Direct the Respondents to refund Rs. 2,33,639/- to the Petitioner Company at the interest determined by the Reserve Bank of India I. Memo No.CGM/O M/GM/Comml./F/upon And pass

IA NO: 1 OF 2026

Petition under Section 151 CPC 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 refund Rs. 2,33,639/- to the Petitioner Company and pass such

Counsel for the Petitioner:

1.VIVEKANANDA VIRUPAKSHA

Counsel for the Respondent(S):

1.GP FOR ENERGY

2.GP MUNICIPAL ADMN AND URBAN DEV AP

3.GP FOR FINANCE PLANNING

The Court made the following:**Order:-**

The petitioner has developed a residential layout in Pantramapalle Harijanwada, Chittoor District, and, on demand from the respondent authorities, deposited security deposit as well as additional security deposit. The 5th respondent, vide memo dated 01.02.2022, issued revised guidelines for electrification of layouts.

2. The learned counsel appearing for the petitioner submits that the respondents are liable to refund the additional security deposit and refers to clause (iii) (b) of the memo referred to above. It is submitted that, as per the said clause, the respondents are required to refund the additional security deposit subject to the agreement period being valid for a period of five (05) years or till 50% occupation of the proposed plots by the residents, whichever is earlier. It is further submitted that more than 90% of the plots are occupied and, as such, the petitioner is entitled to refund of the additional security deposit.

3. The learned Standing Counsel appearing for the 5th respondent submits that the petitioner has submitted a representation dated 10.01.2026, which is filed as material paper in W.P. No. 10344 of 2026, and that the said representation does not reflect the petitioner's contention that 90% of the layout is complete, which would entitle him to seek refund of the additional security deposit.

4. Considering the submissions, this writ petition is disposed of, leaving it open for the petitioner to submit a fresh representation duly informing the extent of occupation of the layout, in terms of clause (iii)(b) of the memo dated 01.02.2022. Upon receipt of the same, the 5th respondent shall consider the representation of the petitioner and pass appropriate orders within a period of four (04) weeks thereafter. There shall be no order as to costs.

As a sequel, miscellaneous petitions pending, if any, shall stand closed.

JUSTICE HARINATH.N

20.04.2026
PNS