

APHC010399152025



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

[3457]

THURSDAY, THE THIRTY FIRST DAY OF JULY
TWO THOUSAND AND TWENTY FIVE

PRESENT

THE HONOURABLE SRI JUSTICE HARINATH.N

WRIT PETITION NO: 20157/2025

Between:

1.MARRIPALEM VUDA LAYOUT NEW PARK ASSOCIATION, REGISTRATION NO. 962/2019, 58-14-17/1/11, SF-303, HINA HOMES, MARRIPALEM VUDA LAYOUT, VISAKHAPATNAM URBAN, VISAKHAPATNAM DISTRICT, ANDHRA PRADESH. REPRESENTED BY ITS SECRETARY, CH VENKATA SURESH, S/O. DASU, AGED 40 YEARS, R/O. FLAT NO. 303, HINA HOMES, MARRIPALEM VUDA LAYOUT, VISAKHAPATNAM URBAN, VISAKHAPATNAMDISTRICT, ANDHRA PRADESH.

...PETITIONER

AND

1.THE STATE OF AP, REPRESENTED BY ITS PRINCIPAL SECRETARY MUNICIPAL ADMINISTRATION AND URBAN DEVELOPMENT AUTHORITY, SECRETARIAT BUILDINGS AT VELAGAPUDI, GUNTUR DISTRICT, ANDHRA PRADESH.

2.THE GREATER VISAKHAPATNAM MUNICIPAL CORPORATION VISAKHAPATNAM, VISAKHAPATNAM DISTRICT, ANDHRA PRADESH. REPRESENTED BY ITS COMMISSIONER.

...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 toPleased to issue a Writ or Order or Direction more particularly one in the nature of Writ of Mandamus declaring the action of the 3RD respondent

in interfering with the Indoor sports complex Shuttle Court and Badminton situated at New Park of Marripalem, VUDA Layout, Near NAD Post in Ward No. 42 in Zone No. 4 of Visakhapatnam and in trying to demolish the same within no time without there being any proper notice as illegal, arbitrary and also oppose to all cannons of justice consequentially direct the respondents more particularly the 2ND respondent herein not to interfere with the Indoor sports complex Shuttle Court and Badminton situated at New Park of Marripalem, VUDA Layout, Near NAD Post in Ward No. 42 in Zone No. 4 of Visakhapatnam and pass

IA NO: 1 OF 2025

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 Pleased to direct the respondents more particularly the 2ND respondent herein not to interfere with the Indoor sports complex [Shuttle Court and Badminton] situated at New Park of Marripalem, VUDA Layout, Near NAD Post in Ward No. 42 in Zone No. 4 of Visakhapatnam pending disposal of the above writ petition and pass

Counsel for the Petitioner:

1.V SAI KUMAR

Counsel for the Respondent(S):

1.GP MUNICIPAL ADMN AND URBAN DEV AP

The Court made the following Order:

1. The learned counsel for the petitioner submits that in pursuance of the agreement dated 20.05.2020, the petitioners have agreed to develop the open space in the layout of Marripalem VUDA layout by undertaking development works including building a compound wall, walking track, shuttle court, watchman room, a shop for maintaining the park, toilets block for gents and ladies, gazebo, benches, children's play items, open gym, plantation, electrical wiring and lighting fixtures, rain water harvesting pits etc., (indoor sports complex).
2. It is submitted that the petitioner association has contributed funds and developed the open area. It is also submitted that they have also built an indoor shuttle stadium, and it is now complained that the respondent authorities are trying to demolish the shuttle court which is set up in a proper shed.
3. The learned Standing counsel appearing for the 2nd respondent submits that the respondent authorities are not interfering in the shuttle court, walking track, or any other activity of the petitioners except for two shops which were constructed without any permission. It is submitted that the petitioners are running two shops: one is milk parlor and the other is a juice shop for maintenance of the park. It is also submitted that the respondent authorities only intend to close down the commercial activities conducted from the milk vending shop.

4. The learned counsel for the petitioner submits that they do mind the closing down of the shop, subject to the respondents not interfering with the other activity as per the agreement.
5. Recording the same, the writ petition is disposed off by directing the respondent authorities not to interfere with the activities which are taken up pursuant to the agreement dated 20.05.2020. It is also made clear that the petitioner shall not conduct any commercial activity without approval from the 2nd respondent.
6. Accordingly, the present writ petition is disposed off. There shall be no order as to costs.

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

JUSTICE HARINATH.N

Date: 31.07.2025

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HONOURABLE SRI JUSTICE HARINATH.N

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Date: 31.07.2025

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