

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

**MONDAY, THE NINETH DAY OF FEBRUARY
TWO THOUSAND AND TWENTY SIX**

:PRESENT:

HONOURABLE SRI JUSTICE GANNAMANENI RAMAKRISHNA PRASAD



WRIT PETITION NO: 23277 OF 2025

Between:

1. Chinamushidiwada Vuda Colony Upkeep And Welfare Association, (Redg No. 192 of 2016) rep., by its Hon. President, Sri G Satyanarayana, VUDA Colony Chinnamushidiwada, Visakhapatnam Visakhapatnam District.
2. Gubbala Satyanarayana, S/o Bhagavan Das, Aged about 63 years, Occ. Retd. Lecturer, R/o HIG 101, VUDA Colony, Chinnamushidiwada, Visakhapatnam, Visakhapatnam District.

...Petitioners

AND

1. The State of Andhra Pradesh, Rep by Principal Secretary, Municipal Administration and Urban Development (M) Department, A.P. Secretariat Buildings, Velagapudi, Amaravathi.
2. The Vishakhapatnam Metropolitan Region and Urban Development Authority (VMRDA), rep. by its Metropolitan Commissioner, Visakhapatnam, Visakhapatnam District.
3. The Greater Visakha Municipal Corporation, Rep. by its Commissioner, Visakhapatnam, Visakhapatnam District.
4. The Town Surveyor, Zone-8, Greater Visakha Municipal Corporation Visakhapatnam, Visakhapatnam District
5. The Sub-Registrar, Chinamushidiwada Visakhapatnam District.

6. North Star Homes and Spaces Private Limited, Vizag Office, Plot No. 355/IC, IT Sez Road, Beside Sreekanya Cinepolis Theater, Madhurawada, Visakhapatnam, Visakhapatnam 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 appropriate Writ, Order or direction more particularly one in the nature of Writ of Mandamus declaring the action of the respondent No.3 in issuing the Lay out plan in L.P.No.1/2025/1086/Z6/DPMS in favour of respondent No.6 permitting it to lay the layout by including 30 feet out of the 60 feet road, abutting the residential colony of the petitioner No.1 as against 60 feet road specified in the petitioner No.1 Layout registered as L.P.No. 16 of 2003, Chinnamushidiwada, Greater Visakhapatnam Municipal Corporation and consequential inaction on the part of respondents No.2 &3 in taking steps to rectify the Layout, even after receipt of repeated Written representations/applications submitted as arbitrary, illegal, colorable exercise of power, contrary to the well-established legal principles apart from being violative of the fundamental and Constitutional rights guaranteed to us under Article 14, 19, 21 & 300-A of Constitution of India and consequently set aside the layout plan in L.P.No.1/2025/1086/Z6/DPMS issued in favour of the respondent No.6.

IA NO: 1 OF 2025

Petition under 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 direct the respondent No.5 not to entertain any sale deeds/sale transactions presented by respondent No.6 in respect of the plots in the lay out plan in L.P. No 1/2025/1086/Z6/DPMS issued in its favour, Pending disposal of WP 23277 of 2025, on the file of the High Court.

IA NO: 2 OF 2025

Petition under 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 direct the respondent No.6, not to proceed with any constructions in the lay out in respect of the lay out plan in L.P No. 1/2025/1086/Z6/DPMS approved by the respondent No.3, Pending disposal of WP 23277 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 02.09.2025, made herein and upon hearing the arguments of SRI D DORABABU Advocate for the Petitioners, and of GP MUNICIPAL ADMN AND URBAN DEV, for the Respondent Nos.1 & 4, and of SRI S.GANESH BABU, Standing Counsel for the Respondent No.2, and of SRI ASC BOSE, Standing Counsel for the Respondent No.3, and of GP FOR STAMPS & REGISTRATION, for the Respondent No.5, the Court made the following

ORDER:

Heard Sri D. Dorababu, Ld. Counsel for the Writ Petitioners, Sri Vijaya Kumar, Ld. Counsel appearing on behalf of Sri A.S.C.Bose, Ld. Standing Counsel for the Municipal Corporations, Sri B.V.Pavan Kumar, Ld. Counsel appearing on behalf of Sri Somisetty Ganesh Babu, Ld. Standing Counsel for the VUDA and MUDA and Sri V.V.Satish, Ld. Counsel appearing on behalf of Respondent No.6.

2. Even while there is heavy contest between the Writ Petitioners herein and the Unofficial Respondent No.6, the VMRDA (Respondent No.2) has not evinced any interest in filing Counter-Affidavit.

3. The Respondent No.6 has also filed an Application for vacating the interim Order passed by this Court dated 02.09.2025. Sri V.V.Satish, Ld. Counsel for the Respondent No.6 would submit that though Para-10

of the Interim Order of this Court dated 02.09.2025 is clear without any ambiguity, the Respondent No.2 has placed the entire property belonging to Respondent No.6 in dispute category. He would submit that this step taken by the Respondent No.2 is creating great hardship to Respondent No.6.

3. Considering the rival contentions, there shall be a direction to Respondent No.2 to file Counter-Affidavit within one week from today, failing which, the Commissioner of Respondent No.2 shall appear personally before this Court to answer the queries. This direction is being given in the light of the fact that this Court had directed the Respondents to file Counter-Affidavit about five months ago, despite which, the Counter-Affidavit is not been filed by Respondent No.2.

4. List on 24.02.2026.

5. The Writ Petitioners as well as Respondent No.6 is directed to correlate the property of the Writ Petitioners as well as the Respondent No.6 in one single map and place the same on record for the better understanding of the Court before the next date.

SD/-B.CHITTI JOSEPH
DEPUTY REGISTRAR

//TRUE COPY//


SECTION OFFICER

For

To,

1. The Principal Secretary, Municipal Administration and Urban Development (M) Department, State of Andhra Pradesh, A.P. Secretariat Buildings, Velagapudi, Amaravathi. (by Special Messenger)
2. The Metropolitan Commissioner, Vishakhapatnam Metropolitan Region and Urban Development Authority (VMRDA), Visakhapatnam, Visakhapatnam District. (by Speed Post)

3. The Commissioner, Greater Visakha Municipal Corporation, Visakhapatnam, Visakhapatnam District.
4. The Town Surveyor, Zone-8, Greater Visakha Municipal Corporation Visakhapatnam, Visakhapatnam District
5. The Sub-Registrar, Chinamushidiwada Visakhapatnam District.
6. North Star Homes and Spaces Private Limited, Vizag Office, Plot No. 355/IC, IT Sez Road, Beside Sreekanya Cinepolis Theater, Madhurawada, Visakhapatnam, Visakhapatnam District
7. Chinamushidiwada Vuda Colony Upkeep And Welfare Association, (Redg No. 192 of 2016) rep., by its Hon. President, Sri G Satyanarayana, VUDA Colony Chinnamushidiwada, Visakhapatnam Visakhapatnann District.
8. Gubbala Satyanarayana, S/o Bhagavan Das, Aged about 63 years, Occ. Retd. Lecturer, R/o HIG 101, VUDA Colony, Chinnamushidiwada, Visakhapatnam, Visakhapatnam District. **(Addressees 3 to 6 by RPAD)**
9. One CC to SRI. D DORABABU Advocate [OPUC]
10. Two CCs to GP MUNICIPAL ADMN AND URBAN DEV, High Court of Andhra Pradesh. [OUT]
11. Two CCs to GP FOR STAMPS & REGISTRATION, High Court of Andhra Pradesh [OUT]
12. One CC to SRI S.GANESH BABU, Standing Counsel [OPUC]
13. One CC to SRI ASC BOSE, Standing Counsel [OPUC]
- 14. One spare copy**

PSR

HIGH COURT

GRKP,J

DATED:09.02.2026.

NOTE: List on 24.02.2026.

ORDER

WP.No.23277 of 2025

INTERIM DIRECTION

