



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

[3457]

WEDNESDAY, THE THIRD DAY OF DECEMBER
TWO THOUSAND AND TWENTY FIVE

PRESENT

THE HONOURABLE SRI JUSTICE HARINATH.N

WRIT PETITION NO: 33696/2025

Between:

1. MAGULURI ANATHA LAKSHMI, W/O. LATE MAGULURI RAMBABU
AGED ABOUT 55 YEARS, HOUSEWIFE, RESIDING OF FLAT
NO.201, MAA HARIVILIU APARTMENTS, NEAR LDS ENCLAVE,
TAHTICHETLAPALEM, VISAKHAPATNAM.
2. MAGULURI LAKSHMI TEJASWY,, D/O. LATE. MAGULURI RAMBABU,
AGED ABOUT 35 YEARS. RESIDING OF FLAT NO,201, MAA
HARIVILIU APARTMENTS, NEAR LDS ENCLAVE,
TAHTICHETLAPALEM, VISAKHAPATNAM. PRESENTLY RESIDING
IN USA. (REPRESENTER BY HER MOTHER AND GPA HOLDER
SMT. MAGULURI ANANTHA LAKSHMI, W/O. LATE MAGULURI
RAMBABU, AGED ABOUT 55 YEARS. HOUSEWIFE, RESIDING OF
FLAT NO.201, MAA HARIVILIU APARTMENTS, NEAR LDS
ENCLAVE, TAHTICHETLAPALEM, VISAKHAPATNAM).

...PETITIONER(S)

AND

1. THE STATE OF AP, REPRESENTED BY ITS SPECIAL CHIEF
SECRETARY DEPARTMENT OF MUNICIPAL ADMINISTRATION
AND URBAN DEVELOPMENT DEPARTMENT, SECRETARIAT
BUILDINGS, VELAGAPUDI GUNTUR DISTRICT.
2. THE VISAKHAPATNAM METROPOLITAN REGION DEVELOPMENT
AUTHORITY VMRDA, , VISAKHAPATNAM, REPRESENTED BY ITS
COMMISSIONER.

3. THE GREATER VISAKHAPATNAM MUNICIPAL CORPORATION, REP BY ITS COMMISSIONER, TENNETI BHAVAN, ASILMETTA JUNCTION, VISAKHAPATNAM - 530 003
4. THE EXECUTIVE ENGINEER, GREATER VISAKHAPATNAM MUNICIPAL CORPORATION, NORTH ZONE, VISAKHAPATNAM.
5. THE DEPUTY EXECUTIVE ENGINEER, GREATER VISAKHAPATNAM MUNICIPAL CORPORATION, NORTH ZONE, VISAKHAPATNAM.
6. THE ASSISTANT ENGINEER, GREATER VISAKHAPATNAM MUNICIPAL CORPORATION, NORTH ZONE, VISAKHAPATNAM.
7. THE ASSISTANT CITY PLANNER NORTH ZONE, GREATER VISAKHAPATNAM MUNICIPAL CORPORATION, O/O. THE TOWN PLANNING SECTION, NORTH ZONE, VISAKHAPATNAM.

...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 an order, writ or direction, more particularly one in the nature of Writ of Mandamus declaring the action of the Respondents in attempting to lay a public road in the property measuring an extent of 1200 square yards in Sy.No. 102/3 of Madhurawada Village, Visakhapatnam Rural Mandal, Visakhapatnam District belonging to the petitioners without paying compensation or issuing Transferable Development Rights (TDR) is arbitrary, illegal, unconstitutional and against the provisions of acquisition under Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013 or under the Municipal Corporation Act and consequently direct the respondents not to proceed with laying the public road in the property measuring an extent of 1200 square yards in Sy. No. 102/3 of Madhurawada Village, Visakhapatnam Rural Mandal, Visakhapatnam District, without following the procedure and pass

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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 not to proceed with laying the public road in the property measuring an extent of 1200 square yards in Sy. No. 102/3 of Madhurawada Village, Visakhapatnam Rural Mandal, Visakhapatnam District belonging to the petitioners, without following the procedure, pending disposal of the writ petition before this Hon'ble Court.

Counsel for the Petitioner(S):

1.NARASIMHA REDDY. G . L

Counsel for the Respondent(S):

1.GP FOR MUNICIPAL ADMN URBAN DEV

The Court made the following:

Order:-

The learned counsel for the petitioners submits that the petitioners are aggrieved by the action of the respondents in proposing to take over the petitioners' property admeasuring 1200 square yards in Sy. No. 102/3 of Madurawada Village, Visakhapatnam Rural Mandal, Visakhapatnam District.

2. It is submitted that the 1st petitioner's husband purchased the property vide a registered sale deed dated 05.03.2025. It is submitted that the 1st petitioner's husband purchased the property vide a registered sale deed dated 05.03.2025, and the 2nd petitioner, who resides in the U.S.A., has executed a GPA in favour of the 1st petitioner, her mother, for taking care of the property. It is further submitted that respondent Nos. 2 and 3 are now proposing to widen the road without resorting to acquisition of the petitioners' land.

3. The learned Standing Counsel appearing for the 3rd respondent, on instructions, submits that the respondents shall follow the due process of law. In the event the petitioners' property is required for widening of the road or for any other public purpose, the respondents shall follow the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013, or propose any other acceptable alternative to compensate the petitioners for acquiring the said property.

4. Recording the submissions, this writ petition is disposed of. There shall be no order as to costs.

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

JUSTICE HARINATH.N

03.12.2025
PNS