APHC010141872026

IN THE HIGH COURT OF ANDHRA PRADESH
AT AMARAVATI **[3457]**
(Special Original Jurisdiction)

THURSDAY, THE 16th DAY OF JULY 2026

PRESENT

THE HONOURABLE SRI JUSTICE HARINATH.N

WRIT PETITION NO: 7503/2026

Between:

1. MALLA VENKATA SATYANARAYANA, S/O. LATE JOSEPH NAIDU, AGED ABOUT 60 YEARS, OCC BUSINESS, R/O. D.NO.1-132, RAMALAYAM STREET, PENDURTHI, VISAKHAPATNAM DISTRICT.

...PETITIONER

AND

1. THE STATE OF AP, REP.BY ITS PRINCIPAL SECRETARY MUNICIPAL ADMINISTRATION AND URBAN DEVELOPMENT DEPARTMENT, SECRETARIAT, VELAGAPUDI, AMARAVATI, GUNTUR DISTRICT- 522241
2. THE VISAKHAPATNAM METROPOLITAN REGION DEVELOPMENT AUTHORITY, REP. BY ITS COMMISSIONER, VISAKHAPATNAM-530001
3. THE GREATER VISAKHAPATNAM MUNICIPAL CORPORATION, REP. BY ITS COMMISSIONER, VISAKHAPATNAM-530001
4. THE ZONAL COMMISSIONER, BHIMUNIPANAM ZONE, GREATER VISAKHAPATNAM MUNICIPAL CORPORATION, VISAKHAPATNAM-530001
5. PULUSU SATYANARAYANA REDDY, S/O. KOTI REDDY, AGED ABOUT 45 YEARS, R/O. FLAT NO.604, NAMBURU, PEDAKAKANI, GUNTUR DISTRICT-522508
6. M/S SRINIVAS INFRASTRUCTURES, REP. BY ITSPARTNER, SATTI VENKATA NARAYANA REDDYS MALLIDI CHAKRAVARTHY S/O.

SATTI NARSI, R/O. D. NO. 12-5-38, NEW COLONY, ANAKAPALLI TOWN AND MANDAL, VISAKHAPATNAM DISTRICT- 531001

...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 any writ, order or direction more particularly one in the nature of Writ of Mandamus declaring the action of the respondents No.2 and 3 in processing the application No. BA. No. 1086/0009/LP/ZI/2025 submitted by respondent No.4 and 5 for grant of layout plan despite decrees of civil courts for permanent injunction and specific performance and pendency of claims before execution court, is illegal, arbitrary and violation of Article 14 of the Constitution of India and to consequently direct the 2nd and 3rd respondents not to grant development permissions in any manner in pursuance of application No. BA. No. 1086/0009/LP/ZI/2025 submitted by the respondents No.4 and 5 in land admeasuring Ac. 15.03 cents in Sy. No.73 and 74 of Chittivalasa, Bhimunipatnam Mandal, Visakhapatnam and to 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 may be pleased to direct the respondents No.2 and 3 not to process the application No. BA. No. 1086/0009/LP/ZI/2025 filed by the respondents No.4 and 5 for approval of layout in respect of land admeasuring Ac. 15.03 cents in Sy. No.73 and 74 of Chittivalasa, Bhimunipatnam Mandal, Visakhapatnam pending disposal of the writ petition and to pass

IA NO: 2 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 May be pleased to vacate the direction in WP No. 7503/2026 dated 17.03.2026, as there are no merits for interference of this Hon’ble Court and pass

IA NO: 3 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 May be pleased to permit the petitioner to amend the main prayer by incorporating the following sentences between the word before execution

court and is illegal and approving Tentative Layout Plan vide orders in File No. 1086/0009/LP/Z1/2025 dated 18.02.2026 and also amend the consequential relief by incorporating the following sentences between the words Visakhapatna and and to pass and to set aside the Tentative Layout Plan approved by respondent No.3 vide File No. 1086/0009/LP/Z1/2025 dated 18.02.2026 and to pass

IA NO: 4 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 may be pleased to permit the petitioner to amend the pleadings in the writ affidavit by inserting the following paragraph N0.8A between the Paragraph No.8 and 9 I submit that at the time of filing writ petition I could only notice the building application number and the plan uploaded in the website of Greater Visakhapatnam Municipal Corporation, Visakhapatnam. I could not see any proceedings granting approval to the layout plan. Therefore, I filed the above wht petition seeking relief against processing of plan approval. Recently when the respondents No. 5 and 6 are developing the layout with plot numbers and erected a board at one place of the layout indicating that the some of the plots are under mortgage with the respondent No. 3. I once again checked the website and found that a copy of order granting approval of tentative layout plan is uploaded vide File No. 1086/0009/LP/Z1/2025 dated 18-02-2026. I submit that the action of the respondent in approving the plan is illegal and arbitrary. Therefore, the proceedings are liable to be set aside" and to pass

Counsel for the Petitioner:

1. V V SATISH

Counsel for the Respondent(S):

1. SOMISETTY GANESH BABU SC For VUDA and MUDA
2. GP MUNCIPAL ADMN AND URBAN DEV AP
3. SINGAMSETTY V.M. SANKAR

THE HONOURABLE SRI JUSTICE HARINATH.N

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ORDER:

1. The petitioner is aggrieved by the action of respondent authorities in proceeding with the grant of approval for the layout as sought by respondent Nos.5 and 6. During the pendency of the writ petition, the learned counsel appearing for petitioner submits that the layout plan was approved on 18.02.2026 and seeks to amend the prayer in the writ petition.

2. The primary contention of the petitioner is that, the petitioner has claim over property in Sy No 68/13,14,15,17,19,20,23,24 to 30 and 37, Sy No 73 and 74 of Chittivalasa Village, Bhimunipatnam Mandal, Vishakapatnam District. In that regard he had filed O.S.No.166 of 2008 against his vendors. It is also submitted that during the pendency of the suit, a compromise was reached and the matter was referred to Lok Adalat. Lok Adalat award was passed in LSA 1174 of 2010 on 31.12.2010.

3. It is submitted that, the vendors of the petitioner did not come forward for executing the sale deed as such the petitioner had filed EP No 19/2021. It is also submitted that several third parties had filed claim petitions claiming the property. It is submitted that the claimants have created fabricated documents in order to create litigation over the land.

4. It is submitted that the petitioner filed O.S.No.109 of 2020 on the file of Principal Junior Civil Judge seeking permanent injunction against the respondent No.4. The respondent No.4 did not choose to contest the suit and

the suit was decreed exparte. It is also submitted that the petitioner has filed OS.No.184 of 2020 on the file of Principal Senior Civil Judge, Visakhapatnam seeking relief of permanent injunction. It is also submitted that the Court in IA.No.241 of 2020 granted interim injunction restraining the petitioner's vendors from alienating the property.

5. It is submitted that the petitioner has addressed objections to respondent Nos.2 and 3 and brought to the notice of respondents the factum of pending litigation. The objections were raised by the petitioner on the proposed layout approval as submitted by the respondent Nos.4 and 5. It is also submitted that when the respondents were informed about the pending litigation over the subject property for which layout approval is sought, the respondent Nos.2 and 3 ought to have kept the application in abeyance.

6. The learned senior counsel appearing for the respondent Nos.5 and 6 submits that the Lok Adalat Award passed in L.S.A.No.1174 of 2010 was against the tenants, and the same cannot be made applicable to the respondents. It is further submitted that respondent No.3 is not the competent authority to adjudicate disputes relating to title raised by third parties while considering the objections and processing applications for grant of layout permission or building permission.

7. The learned Senior counsel further submits that Section 87 of the Andhra Pradesh Metropolitan Region and Urban Development Authorities Act, 2016 empowers the Commissioner to consider the objections, if any, raised by any person and to take appropriate action, including cancellation or revocation

of the development permission issued under the Act. It is also submitted that the contentions of the petitioner could have been considered only if there is an order of the competent Court in favor of the petitioner. The multiple litigations initiated by the petitioner against the tenants cannot have any bearing on the title of the original landlords.

8. The objections raised by the petitioner are required to be considered by responded No.3, under Section 87 of the Andhra Pradesh Metropolitan Region and Urban Development Authorities Act, 2016. Accordingly, the writ petition can be disposed off by directing the respondent No.3 to consider the objections raised by the petitioner with reference to Section 87 of the said Act, and appropriate orders shall be passed thereon. Any third-party rights created over the subject property shall be subject to the outcome of the orders to be passed by respondent No.3.

9. With the above observations, the present writ petition is disposed off. It is needless to mention that respondent No.3 shall consider the objections raised by the petitioner in terms of Section 87 of the Andhra Pradesh Metropolitan Region and Urban Development Authorities Act, 2016, and pass appropriate orders, in accordance with law, after giving a reasonable opportunity of hearing to the petitioner as well as the unofficial respondents, within a period of four (04) weeks from the date of receipt of a copy of this order. There shall be no order as to costs.

Pending miscellaneous petitions, if any, shall stand closed.

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JUSTICE HARINATH.N

Date:16.07.2026
NKA/KGM
Whether the order is :
Speaking Yes/No / Reasoned Yes/No
Reportable Yes/No / Non-Reportable Yes/No

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NKA