

**IN THE HIGH COURT OF JUDICATURE OF ANDHRA PRADESH
AT HYDERABAD**

WEDNESDAY, THE FOURTEENTH DAY OF AUGUST,
TWO THOUSAND AND THIRTEEN

:PRESENT:

THE HON'BLE SRI JUSTICE: **NOOTY RAMAMOHANA RAO**

WP .NO: 23947 of 2013

Between:

Dr. P.Sarojini, W/o. Dr. P.Sri Ramachanera Varma

..... Petitioner

AND

1. Government of Andhra Pradesh, rep. by its Secretary, Municipal Administration Department, Secretariat Buildings, Hyderabad.
2. Visakhapatnam Urban Development Authority, rep. by its Vice Chairman and Managing Director, Visakhapatnam – 530 003.
3. District Collector, Visakhapatnam District, Visakhapatnam – 530 003.
4. Greater Visakhapatnam Municipal Corporation, rep. by its Commissioner, Visakhapatnam – 530 003.

.....Respondents

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the affidavit filed herein, the High Court may be pleased to issue a Writ of Mandamus, or any other appropriate Writ order or direction under Article 226 of the Constitution of India and declare the resolution dated: 05-08-2013 under Subject No. 54 of the Board of Visakhapatnam Urban Development Authority in C.No. 10964/2010/Estate/I-1, dated: 31-07-2013 as bad in law and further declaring the action of the respondents in not giving the petitioner an equal extent of land as promised for the extent of land measuring Ac. 0.23 cts in S.No. 60/3 of Rushikonda Village, Visakhapatnam Rural Mandal taken from her for improving, widening and smoothening the curves of the Visakhapatnam-Bheemili Beach Road and further direct the respondents to allot to the petitioner an extent of land measuring Ac. 0.23 cts situated in Yendada approved layout of the Visakhapatnam Urban Development Authority or in any other approved layout of Visakhapatnam Urban Development Authority near to yendada layout.

The petition coming on for hearing, upon perusing the Petition and the affidavit filed herein and upon hearing the arguments of Sri V.T.M.Prasad, Advocate for the Petitioner, G.P. for Municipal Administration for the Respondent No.1, Smt. K.Sridevi – S.C. for VUDA for the Respondent No.2, G.P. for Revenue for the Respondent No.3 and of Sri S.Laxminarayana Reddy – S.C. for GVMC for the Respondent No.4, the Court made the following

ORDER:

“ The issue raised in this writ petition is exactly identical to the one, which is engaging the attention of the Division Bench of this Court in W.A.No.1550 of 2012. In that view of the matter, it is only

appropriate that this writ petition should also be tagged on to the said writ appeal and heard so that the conflicting opinions can be avoided.

Sri Lakshminarayana Reddy takes notice on behalf of the 4th respondent.

However, Sri V.T.M.Prasad, has drawn my attention to an interlocutory order passed by the Division Bench in W.A.No.1550 of 2012 on 10-07-2013, which runs as follows:

..2..

“In view of the fact that land is available in Yendada Layout, we direct the 1st respondent, namely Vice-Chairman, Visakhapatnam Urban Development Authority, to examine the issue regarding allotment of alternate land to the appellants in Yandada Layout. He is directed to appear before this 22-07-2013.

Post on 22-07-2013.

Until further orders, the respondents are directed not to conduct auctions or make alienations of the lands covered by Yandada Layout.”

Let there be a similar order in this case also.”

ASSISTANT REGISTRAR

//TRUE COPY//

for ASSISTANT REGISTRAR

To

1. The Secretary, Municipal Administration Department, Government of Andhra Pradesh, Secretariat Buildings, Hyderabad.
2. The Vice Chairman and Managing Director, Visakhapatnam Urban Development Authority, Visakhapatnam – 530 003.
3. The District Collector, Visakhapatnam District, Visakhapatnam – 530 003.
4. The Commissioner, Greater Visakhapatnam Municipal Corporation, Visakhapatnam – 530 003.
5. Two CCs to G.P. for Municipal Administration, High Court of A.P. Hyd(OUT)
6. Two CCs to G.P. for Revenue, High Court of A.P.Hyd(OUT)
7. One CC to Sri V.T.M.Prasad, Advocate(OPUC)

8. One spare copy.

SAH

HIGH COURT

NRRJ

DATED: 14-08-2013

ORDER

WP.NO. 23947 OF 2013

DIRECTION

**DRAFTED BY: SAH
APPROVED BY:
DRAFTED ON: 14-08-2013**

HIGH COURT

NRRJ

DATED: 14-08-2013

ORDER

WP.NO. 23947 OF 2013

DIRECTION