APHC010564582026

IN THE HIGH COURT OF ANDHRA PRADESH AT AMARAVATI

Bench Sr.No:-1 [3584]

WRIT APPEAL NO: 1311 of 2026

Uppada Appala Reddy ...Appellant

Vs.

The State of Andhra Pradesh and Others ...Respondent(s)

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CORAM : THE CHIEF JUSTICE LISA GILL

SRI JUSTICE CHALLA GUNARANJAN

DATE : 20th November 2026

Present:

Advocate for Appellant: SAMBOJU BALA GOPAL

Advocate(s) for Respondent(s): GP FOR MUNCIPAL ADMN URBAN DEV,
GP FOR REVENUE,
GP FOR REGISTRATION AND STAMPS

JUDGMENT: (per Hon'ble Sri Justice Challa Gunaranjan)

Unsuccessful writ petitioner preferred present intra-court appeal assailing order dated 02.09.2026 in W.P. No.24853 of 2026 passed by learned Single Judge.

2. (a) The appellant/writ petitioner asserts title to an extent of Acres 0.07 cents in R.S. No.241/1 and Acres 0.17 cents in R.S. No.241/3, totally admeasuring Acres 0.24 cents, situated in

Gambheeram Village, Anandapuram Mandal, Visakhapatnam District, having inherited from his ancestors. It is stated that 7th respondent, claiming aforesaid property along with other parcels of land, applied for layout permission and the same has been granted and is now in the process of developing plots and further trying to alienate the same to third parties.

(b) Having come to know about the same, appellant stated to have made representation dated 10.08.2026 before 4th respondent to protect the property from being alienated in favour of third parties, besides preserving entries in revenue records.

(c) As said representation was not being considered, appellant preferred writ petition challenging the action of respondents 2 and 3 in granting layout approval in favour of 7th respondent in respect of aforesaid mentioned lands and further to direct respondents 4 and 5 to dispose representation dated 10.08.2026 by taking appropriate action in protecting appellant's title and possession over said property and also to rectify the revenue records.

(d) Further direction was sought against 6th respondent not to entertain or register any document of conveyance creating third-party rights and interest over the aforesaid property.

(e) Learned Single Judge, considering the facts and circumstances of the case, dismissed the writ petition essentially on the grounds that appellant has not produced layout proceedings under challenge and secondly, that challenge to sale deed in favour of 7th respondent, since requires determination of disputed questions of fact, it cannot be decided in exercise of writ jurisdiction. Thus, petitioner was granted liberty to approach appropriate forum for redressal of above grievance.

3. Heard Sri Sambju Bala Gopal, learned counsel for appellant and Sri A.S.C.Bose, learned standing counsel, appearing for official respondents.

4. (a) Learned Counsel for appellant contended that impugned layout permission granted in favour of 7th respondent on the face of entries in revenue records indicating name of appellant is unsustainable, thus, learned Single Judge was not right in dismissing the writ petition and relegating appellant to avail appropriate remedy before competent forum.

(b) He further contended that sale deed alleged to have been executed in favour of 7th respondent was sham and fabricated, ignoring entries in revenue records, layout permission ought not to have been granted and when the same was applied with 4th respondent, no action has been initiated, thus, petitioner rightly invoked jurisdiction of writ Court.

5. (a) On the other hand, learned standing counsel appearing for respondent Corporation submitted that subject property since does not fall within the purview of Greater Visakhapatnam Municipal Corporation and layout permission has been granted by Visakhapatnam Urban Development Authority, no relief can be granted against respondents 2 and 3 and even otherwise, in the absence of impleading competent authority, writ petition requires to be dismissed.

(b) It is also stated that representation made by petitioner was to 4th respondent - District Collector, who has nothing to do with granting of layout approval, thus, prayer in the writ petition is misconceived.

6. Perusal of record indicates that except for filing layout copy, proceedings of Visakhapatnam Urban Development Authority granting layout approval are neither on record nor there is any

reference to such proceedings in the pleadings. Entire case of appellant rests on the basis that land belonging to him is being claimed by 7th respondent under registered sale deed, which is part of approved layout. Learned Single Judge rightly held that such disputed question of fact cannot be adjudicated in writ proceedings, rather remedy would be elsewhere.

7. We do not find any infirmity with the view expressed by learned Single Judge and the same does not call for any interference. In fact, learned Single Judge had already granted liberty to the appellant/writ petitioner to work out his remedies before appropriate forum. Thus, we do not find any merit in the appeal and accordingly, this writ appeal stands dismissed. No costs.

As a sequel, miscellaneous petitions pending consideration, if any, in this case shall stand closed.

LISA GILL, CJ **CHALLA GUNARANJAN, J**

Dt: 20.11.2026
SS