APHC010480072026

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

MONDAY, THE 28th DAY OF SEPTEMBER 2026

PRESENT

THE HONOURABLE SMT JUSTICE KIRANMAYEE MANDAVA

WRIT PETITION NO: 26134 OF 2026

Between:

1. GADDAM SUBBARAMI REDDY, S/o. Late Veera Reddy, Aged 79 Years, Occ Contractor, Rio. D No. 10/348, Madana Mohan Nagar, North Midukur, Midukur Town, Kadapa Dist

...Petitioner

AND

1. THE STATE OF ANDHRA PRADESH, Rep by its Principal Secretary, Municipal Adm Et Rural Development Deparltment, Secretariat Bldgs, Velagapudi, Guntur District, Amaravati 522237.

2. The Midukur Municipality, Rep by its Commissioner, Midukur, Kadapa District. 516172

3. Mr Vishnu Vardhan Reddy, Aged 40 years, Occ Contractor, Midukur Town, Kadapa Dist. 516172

...Respondents

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 a writ, order or direction more particularly one in the nature of writ of Mandamus, to declare the inaction on the part of the 2 ' Respondent in considering the Representations dated 7.8.2026 and 7.9.2026 made by the writ petitioner, and allowing the 3rd respondent to proceeds further

construction of drainage channel and road that too without removing the encroachments on the road amounts to erroneous, arbitrary and violaitve of Articles 14 and 21 of the Constitution of India and consequently direct the 2nd respondent to consider the representation made by the writ petitioner forthwith, till consideration of the said representation direct the 3rd respondent not to proceed further forming Road and drainage channel at Chowdeswari nagar, Midukur Town, YSR Kadapa District in the interest of justice

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 direct the 2nd respondent to take necessary steps or action on the representations made by the Writ Petitioner dated 7.8.2026 and 7.9.2026 forthwith pending disposal of the above W.P.

Counsel for the Petitioner: T C KRISHNAN

Counsel for the Respondents: GP MUNCIPAL ADMN AND URBAN DEV AP

Counsel for the Respondents: Gudapati Lakshmi Narayana, Standing Counsel for Municipalities

The Court made the following Order:

Heard the learned counsel for the petitioner, learned Assistant Government Pleader for Municipal Administration and Urban Development and Sri Gudapati Lakshmi Narayana, learned Standing Counsel for the respondent No.2/Municipality.

2. The grievance of the petitioner in the instant Writ Petition is against the action of the respondents in not considering the representations dated 07-08-2026 and 07-09-2026 submitted by the petitioner, raising his grievance about

the proposed road dimensions, without making proper provision for the flow of drain water.

3. It is contended that, with the increase in road height, the plots in the low-lying areas would get inundated during the rainy season. In this regard, the petitioner had made a representation dated 07-09-2026 to the Municipal Commissioner, Mydukur Town, Kadapa District, pointing out clearly that, in the proposed road, the manner in which the drain canals have been provided is useless, as the same have been carved in an unscientific manner without application of mind. Without addressing this grievance, the respondents are proceeding with the proposal to lay the road, despite the petitioner's specific request for the drain facility on either side of the road to be considered. Thus, the petitioner has approached this Court seeking a direction to the respondents not to proceed with the construction of the road.

4. When the matter has been taken up for consideration today, Sri Gudapati Lakshmi Narayana, learned Standing Counsel for the respondent No.2/Municipality has placed before the Court a copy of instructions received by him in the case. A perusal of the same would reflect that taking into consideration the representations of the petitioner and the residents of the locality for l CC road, tenders were called for and work orders have already been was issued for laying the road.

5. In the light of the same, this Court is of the view that the petitioner’s concern is to provide an effective drainage facility while laying the road, which

cannot be ignored; the issue raised by the petitioner is equally beneficial to the same residents. In fact, the issue pointed by the petitioner through the subject representation must be addressed and considered before the road is fully laid and completed, as inadequate drainage can adversely affect the road's durability and functionality. Therefore this court deems it appropriate to dispose of the Writ Petition directing the respondent No.2/Municipality to examine the representations made by the petitioner and by giving an opportunity of hearing shall pass appropriate orders. The entire exercise shall be completed within a period of ten (10) days from the date of receipt of this order.

6. With the above observation, the Writ Petition is disposed of. There shall be no order as to costs.

As a sequel, all pending miscellaneous applications shall stand closed.

JUSTICE KIRANMAYEE MANDAVA

Dated: 28-09-2026
MSI

THE HONOURABLE SMT JUSTICE KIRANMAYEE MANDAVA

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Dated: 28-09-2026
MSI