APHC010533862026

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

FRIDAY, THE 9th DAY OF OCTOBER 2026

PRESENT

THE HONOURABLE SMT JUSTICE KIRANMAYEE MANDAVA

WRIT PETITION NO: 29032 OF 2026

Between:

1. Manchukonda Ramakrishna, S/o. M.V. Jagannadham, Aged about 57 years, Business, R/o.D.No.7-5-30, Pandurangapuram, Near Appollo Medicals, Visakhapatnam, Andhra Pradesh 530 003.

...Petitioner

AND

1. The State of Andhra Pradesh, Rep.by its Principal Secretary, Municipal Administration and Urban Development Department, Secretariat, Velagapudi, Amaravathi, Guntur District-522238.

2. The Commissioner, Greater Visakhapatnam Municipal Corporation (GVMC), Asilmetta, Visakhapatnam - 530016.

...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, particularly one in the nature of Writ of Mandamus, declaring the high-handed and illegal action of Respondent No. 2 in interfering with the Petitioner's peaceful possession and enjoyment of the Schedule Property without following due process of law and pending 0.S.No.208/2025 on the file of the Senior Civil Judges court,

Visakhapatnam as illegal, arbitrary, unconstitutional, and in violation of void 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 to direct the 2 nd respondent herein not to interfere with peaceful possession and enjoyment of the property i.e. Land measuring an extent of Ac.0.84 Cents (out of total extent Ac. 2.20 Cents) covered by Old S.No.66/1 and New S.No.66/1A to 66/1N, situated at Yendada Village, Chinagadili Mandal, Visakhapatnam, till the disposal of the suit 0.S.No.208/2025 on the file of the Senior Civil Judges court, Visakhapatnam, pending disposal of the above writ petition and to pass

Counsel for the Petitioner: K SAIRAM MURTHY

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

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The Court made the following Order:

Heard Sri K. Sairam Murthy, learned counsel for the petitioner, learned Assistant Government Pleader for Municipal Administration and Urban Development and Sri A.S.C. Bose, learned Standing Counsel for the respondent No.2/GVMC.

2. The grievance of the petitioner in the instant Writ Petition is against the action of the respondent/Corporation in interfering with the petitioner's peaceful possession and enjoyment of the subject property of an extent of Ac.0.84 cents (out of total extent of Ac.2.20 cents) situated at Yendada Village, Chinagadili Mandal, Visakhapatnam District, without following due procedure under law.

3. It is contended that a Civil Suit is filed against the respondent/Corporation by the petitioner's father in O.S.No.208 of 2025 on the file of the learned VII Senior Civil Judge, Visakhapatnam. After filing of the suit, the petitioner's father died and the application to bring on record the legal representatives, the plaintiff in the said suit is pending for consideration before the Court below. In the meanwhile, the respondent Officials are attempting to interfere with the peaceful possession without following due process of law.

4. Learned Standing Counsel appearing for the respondent No.2/Corporation would submit that at the time of obtaining the layout permission the subject property is shown as open space and the land claimed

is earmarked as open space and part of the approved layout in LP No.19/1994. Therefore, the same vests with the Corporation and the petitioner cannot have any ownership title in respect of the subject property.

5. Having regard to the contentions advanced, this Court deems it appropriate to dispose of the Writ Petition directing the respondent Corporation not to interfere with the possession of the petitioner's subject property without following due process of law.

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: 09-10-2026

Note: Issue CC by 10-10-2026
B/o.
MSI

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