



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

[3457]

FRIDAY, THE 14th DAY OF AUGUST 2026

PRESENT

THE HONOURABLE SRI JUSTICE HARINATH.N

WRIT PETITION Nos.9661, 12157, 12676, 12678 and 12714 of 2022

WRIT PETITION No.9661 of 2022

Between:

- 1.MAYURI GREEN LANDS RESIDENTS WELFARE ASSOCIATION (REGD.NO.143/2018),, H.NO.9-698, MAYURI GREEN LANDS, LAKSHMIPURAM, KALLUR MANDAL, KURNOOL CITY, KURNOOL DISTRICT. REP.. BY ITS PRESIDENT, E.PRATHAP REDDY, S/O. LATE E.BOREDDY. AGED ABOUT 53 YEARS.
- 2.P.MAHESWARA REDDY,, S/O. P.KRISHNA REDDY. AGED ABOUT 40 YEARS, OCC- BUSINESS, OCC- GENERAL SECRETARY OF MAYURI GREEN LANDS RESIDENTS WELFARE ASSOCIATION H.NO.9-366, MAYURI GREEN LANDS, LAKSHMIPURAM, KALLUR MANDAL, KURNOOL CITY, KURNOOL DISTRICT.

...PETITIONER(S)

AND

- 1.THE STATE OF ANDHRA PRADESH, REP., BY ITS PRINCIPAL SECRETARY MUNICIPAL ADMINISTRATIVE DEPARTMENT, SECRETARIAT BUILDINGS, VELAGAPUDI, AMARAVATHI, GUNTUR DISTRICT.
- 2.THE DISTRICT COLLECTOR, KURNOOL DISTRICT, KURNOOL.
- 3.THE KURNOOL MUNICIPAL CORPORATION, KURNOOL, KURNOOL DISTRICT.
- 4.THE SUBREGISTRAR, KURNOOL, KALLUR, KURNOOL DISTRICT.
- 5.K J REDDY, S/O.K.NARAYANA REDDY, AGED ABOUT 44 YEARS, OCC- MANAGING DIRECTOR, RAGAMAYURI BUILDERS PRIVATE LIMITED, MAYURI RESIDENCY, NEAR VITAL NAGAR, KURNOOL, KURNOOL DISTRICT.
- 6.KUDIVELLI VENKATA RAMI REDDY, S/O. K.ESWAR REDDY, AGED ABOUT 47 YEARS, OCC- BUSINESS, R/O.H.NO.45/142-A-3UP, ROAD NO.4, BESIDE SBI BANK, VENKATA RAMANA COLONY, KURNOOL CITY, KURNOOL DISTRICT.
- 7.S SUNIL KUMAR REDDY, S/O. S.SAINATHA REDDY, AGED ABOUT 34 YEARS, OCC- BUSINESS. R/O. H.NO.1-118, SOWLAHALLI VILLAGE, MANTRALAYAM MANDAL KURNOOL DISTRICT.
- 8.G MALLIKARJUNA, S/O. G.CHINNAMADANNA, AGED ABOUT 49 YEARS, OCC- BUSINESS. R/O. H.NO.5-104, PARLA VILLAGE, KURNOOL MANDAL AND DISTRICT.

...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 to issue an appropriate order or direction more particularly one in the nature of Writ of Mandamus declaring the action of the respondent No.4 in entertaining the Sale Deeds, dated 20.10.2021 and 26.10.2021 and registering the same as Documents No.14985, 15500, 15501 and 15502 for the Open Plots No.428 and 474 which are earmarked for public purpose and the consequential inaction on the part of the respondent No.3 in protecting the same as arbitrary, illegal, contrary to the provisions of the Registration Act, 1908, the Greater Hyderabad Municipal Corporation Act, 1955 and the Andhra Pradesh Land Development (Layout and Sub-Division) Rules, 2017 and also the well established legal principles apart from being violative of the fundamental and Constitutional rights guaranteed to them under Articles 14, 19, 21 and 300-A of the Constitution of India and consequently direct the respondent No.3 to protect the land in an extent of Ac.0.56 Cents in Plot Nos.428 and 474 of Mayuri Green Lands, Lakshmipuram, Kallur Mandal, Kurnool City, Kurnool District by declaring the Sale Deeds, dated 20.10.2021 and 26.10.2021 registered as Documents No.14985, 15500, 15501 and 15502 and pass

IA NO: 1 OF 2022

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 respondent No.4 not entertain any sale transaction or deed for registration for the land in an extent of Ac.0.56 Cents in Plot Nos.428 and 474 of Mayuri Green Lands, Lakshmipuram, Kallur Mandal, Kurnool City, Kurnool District, which is left of public purpose i.e., Park and Temple, pending disposal of the above Writ Petition

IA NO: 2 OF 2022

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 respondent No.3 to protect the land in an extent of Ac.0.56 Cents in Plot Nos.428 and 474 of Mayuri Green Lands, Lakshmipuram, Kallur Mandal, Kurnool City, Kurnool District, which is left of public purpose i.e., Park and Temple, from encroachments, pending disposal of the above Writ Petition and pass

IA NO: 1 OF 2023

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 grant leave to the petitioner/respondent No.3 in the WP.No.9661 of 2022 to file the counter affidavit in the above writ petition and pass

IA NO: 2 OF 2023

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 receive the counter affidavit on record by allowing the leave petition in the above writ petition and pass

IA NO: 1 OF 2025

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 record the compromise taken place in between the petitioner and the respondent No.5 and close the above Writ Petition and pass

IA NO: 2 OF 2025

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 pleased to grant leave to the petitioner herein - respondent No.3 in the Writ petition No. 9661 of 2022 to file counter affidavit in the above writ petition and 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 permit me to amend the Cause Title of the respondent No.5 as "Ragamayuri Builders Private Limited, Mayuri Residency, Near Vital Nagar, Kurnool, Kurnool District, rep., by its Managing Director, K.J.Reddy, S/o. K.Narayana Reddy , aged about 44 years" in the place of K.J Reddy, S/o. K.Narayana Reddy, Aged about 44 years, Occ Managing Director, Ragamayuri Builders Private Limited, Mayuri Residency, Near Vital Nagar, Kurnool, Kurnool District and pass

Counsel for the Petitioner(S):

1.V R REDDY KOVVURI

Counsel for the Respondent(S):

- 1.POTHAM VENGALA REDDY SC For M.Corporation in Rayalaseema region In
- 2.GP FOR REVENUE
- 3.VEERAMANI KUKKALA
- 4.CHALLA SIVASANKAR
- 5.GP FOR MUNICIPAL ADMN URBAN DEV

The Court made the following:**WRIT PETITION No.12157 of 2022****Between:**

- 1.KUDAVELLI VENKATARAMI REDDY, S/O.K.ESWARA REDDY, AGED ABOUT 48 YEARS, OCC. BUSINESS, R/O. H.NO.45/142-A-3UP,ROAD NO.4, BESIDE S.B.H.BANK,VENKATARAMANA COLONY, KURNOOL CITY, KURNOOL DISTRICT.

...PETITIONER

AND

- 1.THE STATE OF ANDHRA PRADESH, REP. BY ITS PRINCIPAL SECRETARY, MUNICIPAL ADMINISTRATION AND URBAN DEVELOPMENT DEPARTMENT, SECRETARIAT, VELAGAPUDI, AMARAVATHI, GUNTUR DISTRICT.
- 2.THE KURNOOL MUNICIPAL CORPORATION, REP BY ITS

- COMMISSIONER, KURNOOL CITY, KURNOOL DISTRICT-518004.
3. THE DEPUTY CITY PLANNER, TOWN PLANNING DEPARTMENT, KURNOOL MUNICIPAL CORPORATION, KURNOOL CITY, KURNOOL DISTRICT-518004.
4. RAGAMAYURI BUILDERS PRIVATE LIMITED, REP BY ITS MANAGING DIRECTOR, K.J. REDDY @ K.JANARDHANA REDDY, S/O. NARAYANA REDDY, AGED 60 YEARS, OCC.BUSINESS, R/O H.NO.78/8-A-12-2-29, MAYURI RESIDENCY, KURNOOL CITY, KURNOOL DISTRICT-518002.
5. THE SUPERINTENDENT OF POLICE, KURNOOL, KURNOOL DISTRICT.

...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 to issue a Writ, order or direction more particularly one in the nature of Writ of Mandamus declaring the action of the respondents in taking steps for dispossessing the petitioner from an extent of 1263.24 Sq.Yards, bearing plot No.474 in Sy.No.675 of Laksmipuram Gram Panchayat, popularly known as MAYURI GREEN LANDS, Kallur Mandal, Kurnool District as illegal, irregular, arbitrary, unwarranted, unreasonable, unjustified, unfair, violative of Articles 14,19,21 and 300-A of the constitution of India, unconstitutional and unsustainable and hold that the Respondents shall not dispossess the petitioner without following due procedure under law or otherwise Petitioner will suffer serious finance loss and great hardship and pass

IA NO: 1 OF 2022

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 respondents not to dispossess the petitioner in any manner from his plot No. 474 comprising of 1263 Sq. Yards, situated in Sy.No.675 of Laksmipuram Gram Panchayat, popularly known as " MAYURI GREEN LANDS", Kallur Mandal, Kurnool District and to forbear from erection of any board at the site, pending disposal of the Writ Petition and pass

IA NO: 1 OF 2023

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 grant leave to the petitioner (respondent no.2 in WP 12157/2022) to file counter affidavit in the above writ petition

IA NO: 1 OF 2025

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 vacate the 'status-quo' interim order dated 27-04-2022 passed in IA.No. 1 of 2022 in WP.No. 12157 of 2022 and pass

Counsel for the Petitioner:

1. CHALLA SIVASANKAR

Counsel for the Respondent(S):

- 1.POTHAM VENGALA REDDY SC For M.Corporation in Rayalaseema region In
- 2.VEERAMANI KUKKALA
- 3.GP FOR MUNCIPAL ADMN URBAN DEV

WRIT PETITION No.12676 of 2022

Between:

- 1.S SUNIL KUMAR REDDY, S/O.S.SAINATH REDDY, AGED ABOUT 35 YEARS, OCC. BUSINESS, RIO. H.NO.1-118,SOWLAHALLI VILLAGE, MANTRALAYAM MANDAL, KURNOOL DISTRICT.

...PETITIONER

AND

- 1.THE STATE OF ANDHRA PRADESH, REP. BY ITS PRINCIPAL SECRETARY, MUNICIPAL ADMINISTRATION AND URBAN DEVELOPMENT DEPARTMENT, SECRETARIAT, VELAGAPUDI, AMARAVATHI, GUNTUR DISTRICT.
- 2.THE KURNOOL MUNICIPAL CORPORATION, REP BY ITS COMMISSIONER, KURNOOL CITY, KURNOOL DISTRICT-518004.
- 3.THE DEPUTY CITY PLANNER, TOWN PLANNING DEPARTMENT, KURNOOL MUNICIPAL CORPORATION, KURNOOL CITY, KURNOOL DISTRICT-518004.
- 4.RAGAMAYURI BUILDERS PRIVATE LIMITED, REP BY ITS MANAGING DIRECTOR, K.J. REDDY @ K.JANARDHANA REDDY, S/O. NARAYANA REDDY, AGED 60 YEARS, OCC.BUSINESS, R/O H.NO.78/8-A-12-2-29,MAYURI RESIDENCY, KURNOOL CITY, KURNOOL DISTRICT-518002.
- 5.THE SUPERINTENDENT OF POLICE, KURNOOL, KURNOOL DISTRICT.

...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 toto issue a Writ, order or direction more particularly one in the nature of Writ of Mandamus declaring the action of the respondents in taking steps for dispossessing the petitioner from an extent of 233.33 Sq,yards, bearing plot No.428 East side part in Sy.No.675 of Laksmipuram Gram Panchayat, popularly known as - MAYURI GREEN LANDS-, Kallur Mandal, Kurnool District as illegal, irregular, arbitrary, unwarranted, unreasonable, unjustified, unfair, violative of Articles 14,19,21 and 300-A of the constitution of India, unconstitutional and unsustainable and hold that the Respondents shall not dispossess the petitioner without following due procedure under law or otherwise PetitiOner will suffer serious finance loss and great hardship and pass

IA NO: 1 OF 2022

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 respondents not to dispossess the petitioner in any manner from his plot No. 428 East side Part comprising of 233.33 Sq. Yards, situated in

Sy.No.675 of Laksmipuram Gram Panchayat, popularly known as " MAYURI GREEN LANDS", Kallur Mandal, Kurnool District and to forbear from erection of any board at the site, pending disposal of the Writ Petition and pass

IA NO: 1 OF 2023

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 Pleaded to grant leave to the petitioner herein (respondent No. 2 in the Writ petition No. 12676 of 2022) to file counter affidavit in the above writ petition and pass

IA NO: 2 OF 2023

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 Pleaded to vacate the interim "Status-quo" order dated 29-04-2022 passed in IA No. 1 of 2022 in WP No. 12676 of 2022 and pass.

Counsel for the Petitioner:

- 1.CHALLA SIVASANKAR

Counsel for the Respondent(S):

- 1.POTHAM VENGALA REDDY SC For M.Corporation in Rayalaseema region In
- 2.VEERAMANI KUKKALA
- 3.GP FOR MUNICIPAL ADMN URBAN DEV

WRIT PETITION No.12678 of 2022

Between:

- 1.BOMMANA VISHNU VARDHAN REDDY, S/O.B.SEETARAMI REDDY, AGED ABOUT 39 YEARS, OCC. BUSINESS, RIB. H.NO.17/117-11,KRISHNA REDDY NAGAR, KALLUR,KURNOOL CITY, KURNOOL DISTRICT.

...PETITIONER

AND

- 1.THE STATE OF ANDHRA PRADESH, REP. BY ITS PRINCIPAL SECRETARY, MUNICIPAL ADMINISTRATION AND URBAN DEVELOPMENT DEPARTMENT, SECRETARIAT, IVELAGAPUDI, AMARAVATHI, GUNTUR DISTRICT.
- 2.THE KURNOOL MUNICIPAL CORPORATION, REP BY ITS COMMISSIONER, KURNOOL CITY, KURNOOL DISTRICT-518004.
- 3.THE DEPUTY CITY PLANNER, TOWN PLANNING DEPARTMENT, KURNOOL MUNICIPAL CORPORATION, KURNOOL CITY, KURNOOL DISTRICT-518004.
- 4.RAGAMAYURI BUILDERS PRIVATE LIMITED, REP BY ITS MANAGING DIRECTOR, K.J. REDDY @ K.JANARDHANA REDDY, S/O. NARAYANA REDDY, AGED 60 YEARS, OCC.BUSINESS, R/O H.NO.78/8-A-12-2-29,MAYURI RESIDENCY, KURNOOL CITY, KURNOOL DISTRICT-518002.
- 5.THE SUPERINTENDENT OF POLICE, KURNOOL, KURNOOL DISTRICT.

...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 to may be to issue a Writ, order or direction more particularly one in the nature of Writ of Mandamus declaring the action of the respondents in taking steps for dispossessing the petitioner from an extent of 530 Sq.Yards, bearing plot No.428 west side North part in Sy.No.675 of Laksmipuram Gram Panchayat, popularly known as 'MAYURI GREEN LANDS', Kallur Mandal, Kurnool District as illegal, irregular, arbitrary, unwarranted, unreasonable, unjustified, unfair, violative of Articles 14,19,21 and 300-A of the constitution of India, unconstitutional and unsustainable and hold that the Respondents shall not dispossess the petitioner without following due procedure under law or otherwise Petitioner will suffer serious finance loss and great hardship and pass such

IA NO: 1 OF 2022

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 not to dispossess the petitioner in any manner from his plot No. 428 west side North Part comprising of 530 Sq. Yards, situated in Sy.No.675 of Laksmipuram Gram Panchayat, popularly known as "MAYURI GREEN LANDS", Kallur Mandal, Kurnool District and to forbear from erection of any board at the site, pending disposal of the Writ Petition and pass such

IA NO: 1 OF 2023

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 grant leave to the petitioner herein-respondent No.2 in the Writ petition No. 12678 of 2022 to file counter affidavit in the above writ petition and pass

IA NO: 2 OF 2023

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 pleased to vacate the interim "Status-quo" order dated 29-04-2022 passed in I.A.No. 1 of 2022 in W.P.No. 12678 of 2022 and pass

Counsel for the Petitioner:

- 1.CHALLA SIVASANKAR

Counsel for the Respondent(S):

- 1.POTHAM VENGALA REDDY SC For M.Corporation in Rayalaseema region In
- 2.VEERAMANI KUKKALA
- 3.GP FOR MUNICIPAL ADMN URBAN DEV

WRIT PETITION No. 12714 of 2022

Between:

- 1.G MALLIKARJUNA, S/O.G.CHINNA MADANNA, AGED ABOUT 41 YEARS, OCC. AGRICULTURE, R/O. H.NO.5-104,PARLA VILLAGE, KALLUR MANDAL,KURNOOL DISTRICT.

...PETITIONER

AND

1. THE STATE OF ANDHRA PRADESH, REP. BY ITS PRINCIPAL SECRETARY, MUNICIPAL ADMINISTRATION AND URBAN DEVELOPMENT DEPARTMENT, SECRETARIAT, VELAGAPUDI, AMARAVATHI, GUNTUR DISTRICT.
2. THE KURNOOL MUNICIPAL CORPORATION, , REP BY ITS COMMISSIONER, KURNOOL CITY, KURNOOL DISTRICT-518004.
3. THE DEPUTY CITY PLANNER, TOWN PLANNING DEPARTMENT, KURNOOL MUNICIPAL CORPORATION, KURNOOL CITY, KURNOOL DISTRICT-518004.
4. RAGAMAYURI BUILDERS PRIVATE LIMITED, REP BY ITS MANAGING DIRECTOR, K.J. REDDY @ K.JANARDHANA REDDY, S/O. NARAYANA REDDY, AGED 60 YEARS, OCC.BUSINESS, R/O H.NO.78/8-A-12-2-29, MAYURI RESIDENCY, KURNOOL CITY, KURNOOL DISTRICT-518002.
5. THE SUPERINTENDENT OF POLICE, KURNOOL, KURNOOL DISTRICT.

...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 a Writ, order or direction more particularly one in the nature of Writ of Mandamus declaring the action of the respondents in taking steps for dispossessing the petitioner from an extent of 173.66 Sq.Yards, bearing plot No.428 west side south part in Sy.No.675 of Laksmipuram Gram Panchayat, popularly known as MAYURI GREEN LANDS, Kallur Mandal, Kurnool District as illegal, irregular, arbitrary, unwarranted, unreasonable, unjustified, unfair, violative of Articles 14,19,21 and 300-A of the constitution of India, unconstitutional and unsustainable and hold that the Respondents shall not dispossess the petitioner without following due procedure under law or otherwise Petitioner will suffer serious finance loss and great hardship and pass

IA NO: 1 OF 2022

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 respondents not to dispossess the petitioner in any manner from his plot No. 428 west side South Part comprising of 173.66 Sq. Yards, situated in Sy.No.675 of Laksmipuram Gram Panchayat, popularly known as " MAYURI GREEN LANDS", Kallur Mandal, Kurnool District and to forbear from erection of any board at the site, pending disposal of the Writ Petition and pass

IA NO: 1 OF 2023

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 grant leave to the petitioner/respondent No.2 in the WP.No.12714 of 2022 to file the counter affidavit in the above writ petition and pass

IA NO: 1 OF 2025

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 'status-quo' interim order dated 29-04-2022 passed in IA.No.1 of 2022 in WP.No. 12714 of 2022 and pass

Counsel for the Petitioner:

- 1.CHALLA SIVASANKAR

Counsel for the Respondent(S):

- 1.POTHAM VENGALA REDDY SC For M.Corporation in Rayalaseema region In
- 2.GP FOR HOME
- 3.VEERAMANI KUKKALA
- 4.GP FOR MUNICIPAL ADMN URBAN DEV

The Court made the following:

THE HONOURABLE SRI JUSTICE HARINATH.N**WRIT PETITION Nos.9661, 12157, 12676, 12678 and 12714 of 2022****COMMON ORDER:**

1. The subject property of WP.No.9661 of 2022 includes the subject properties of WP. Nos. 12157, 12676, 12678 and 12714 of 2022 are common, and as such, all the writ petitions are taken up for hearing together. With the consent of the learned counsel appearing for respective parties, these writ petitions are taken up for hearing for passing a common order.
2. The WP.No.9661 of 2022 is filed by the Mayuri Green Lands Residents Welfare Association and another seeking a declaration of the action of respondent No.4 in registering the sale deeds for open plots 428 and 474 which are earmarked for public purposes and the consequential inaction on part of respondent No.3 in protecting the same and a consequential direction to the respondent No.3 to protect land to an extent of Ac.0.56 cents in plot No.428 and 474 of Mayuri Green Lands, Lakshmipuram, Kallur Mandal, Kurnool City.
3. The WP.No.12157 of 2022 is filed by the purchaser of plot No.474 admeasuring 1263.24 square yards from the Developer of the layout vide a registered sale deed bearing document No.14985 of 2021, dated 20.10.2021.
4. The WP.No.12676 of 2022 is filed by the purchaser of plot No.428 (east side part) admeasuring 233.33 square yards from the Developer of the

layout vide a registered sale deed bearing document No.15500 of 2021, dated 28.10.2021.

5. The WP.No.12678 of 2022 is filed by the purchaser of plot No.428 (west side-north part) admeasuring 530 square yards from the Developer of the layout vide a registered sale deed bearing document No.15502 of 2021, dated 28.10.2021.
6. The WP.No.12714 of 2022 is filed by the purchaser of plot No.428 (west side south part) admeasuring 173.66 square yards from the Developer of the layout vide a registered sale deed bearing document No.15501 of 2021, dated 28.10.2021.
7. The learned counsel appearing for the writ petitioner in WP.No.9661 of 2022 submits that the petitioner is a Residents Welfare Association and the members of the Association are residents of the houses constructed in the Layout called as Mayuri Green Lands. It is submitted that the respondent No.5 had obtained layout approval from the then Lakshmipuram Grampanchayat vide proceedings in L.Dis.No.25/71, dated 25.07.1971. The total extent of the layout spans Ac. 70.52 cents in Survey Nos. 672, 673, 675, 679, and 680 of Lakshmipuram Village.
8. It is submitted that Plot No. 427, 428, 473 and 474 were reserved for School, Well, Park and Temple. These plots were left as open spaces for the common use of the layout's residents. It is also submitted that the Developer of the layout issued a brochure delineating the open spaces for public purposes, and accordingly, a Temple was constructed

in Plot No.473, and a water tank and a shopping complex were constructed in Plot No.427.

9. The Plot Nos.428 and 474 were left open for construction of a park and school. However, respondent No. 5 had executed sale deeds in favour of respondents Nos. 6 to 9. It is submitted that the respondent No.5 could not have executed any documents creating any right, title, or interest over the property, which vests with the respondent No.3.
10. The learned counsel for the petitioner submits that the sham documents created in favour of the respondent Nos.6 to 9 would not confer any title over the schedule property as the respondent No.5 had no legal right to execute sale deeds over the property which vested in the respondent No.3.
11. It is also submitted that the open areas in the layout which are left out for specified purposes for the common use of the residents of the layout cannot be sold and any such sale would be *void ab initio*. It is submitted that the respondent No.3 has failed to protect and maintain the property, thereby leaving scope for the respondent No.4 to execute registered documents in favour of the respondent Nos.6 to 9.
12. The learned standing counsel appearing for the Kurnool Municipal Corporation submits that as per the AP Gram Panchayat Building Rules, 1972, a layout Developer would have to earmark five percent of the total area for public purposes. It is also submitted that five percent of the total area of the subject layout would come to Ac.3.55 cents. The

respondent No.5 has left out land admeasuring Ac.2.41 cents instead of Ac.3.55 cents.

13. It is also submitted that as per Rule 10-A of the Municipal Corporation Rules, 1965, all roads and open spaces shall stand transferred free of cost and vest with the corporation free from all encumbrances. It is also submitted that it is the responsibility of the Corporation to maintain all such open spaces or to ensure their utilisation for the specified purposes for which they are earmarked. It is also stated in the counter that respondent No. 3 is taking care of and maintaining the open spaces. It is also submitted that, on account of paucity of funds,, the respondent No.3 is unable to develop the park and construct a school, and that, with the assistance of the residents,, the respondent-corporation would develop the open spaces.

14. The respondent No.5 has also filed a counter. It is stated in the counter that the respondent No.5 had undertaken the development activity in the year 2006 in the name of Ragamayuri Private Builders and that a park was developed in the Centre of the Circle and an overhead tank was constructed. A commercial space was also constructed in place of the well. It is also submitted that when the plot numbers are issued, they cannot be used for public property, and that the respondent No.5 has the right to sell the plots; accordingly, these plots were sold to respondent Nos.6 to 8. It is also stated in the counter that after the completion of the Swayambhu Sri Abhishta Gnana Ganapathi Temple,

Muslim community members had occupied plot No. 428 and constructed a small structure for their prayers. It is submitted that the respondent No.5 allotted plot No.718 and executed a registered Gift Deed to Masjid-E-Madina and Madarasa Committee, Kurnool, vide document No.2915 of 2011, dated 11.04.2011. It is also submitted that the respondent No.5 incurred expenditure for construction of a Masjid.

15. It is also submitted that certain Christian Community Residents tried to occupy Plot No.474 and constructed a Church for their prayers. The respondent No.5 registered Plot No.2 in the name of South India Trust Association Diocese of Nandyal by executing a registered Gift Deed bearing Document No.3617 of 2017.

16. It is submitted that the respondent No.5 had to incur a lot of expenditure in protecting Plot No.428 and 474 and as such has right and title over Plot Nos.428 and 474. Accordingly, the respondent No.5 has executed sale deeds in favour of third parties.

17. Sri.P.Veera Reddy, learned senior counsel appearing for respondent Nos.6 to 8 in WP.No.9661 of 2022 and for the petitioners who filed writ petitions claiming relief against the respondents from dispossessing the petitioners without following due process of law. It is submitted that the petitioners in WP.No.9661 of 2022 have sought the relief of declaration of the action of the respondent No.4 therein in entertaining and registering the sale deeds about open plot Nos.428 and 474. It is submitted that the prayer pertains to the Stamps and Registration

Department and that this matter may have to be heard by the appropriate Court as per the Roster. However, the learned senior counsel further submits on merits apart from the technical objection raised.

18. The learned senior counsel submits that the plots were purchased by paying valuable sale consideration. It is also submitted that the plots were open when they were purchased, and no construction or any signboard was indicating the respondent–Corporation's claim over them. It is submitted that the respondent-Corporation attempted to erect a board on the property purchased by the petitioners and left after the petitioners objected.
19. The respondent Corporation has filed a counter duly stating that the petitioners cannot claim right over the property which was in control of the respondent Corporation. It is also submitted that all open spaces in any layout would vest in the local authority, and it is the responsibility of the local authority to maintain and protect them. Accordingly, the respondent Corporation intended to erect a board cautioning the general public about the nature of the property. It is submitted that, as on the date of granting interim orders by this Court, the respondent-Corporation has the plots, and, on account of the status quo order, further development could not be carried out.
20. Heard the learned counsel appearing on behalf of the parties. Perused the material on record.

21. The short point for consideration is whether this Court can recognise the transfer of title of open spaces in a layout meant for public purposes by execution of sale deeds as valid and legal.
22. Admittedly, Plot Nos.428 and 474 were part and parcel of a layout for which layout permission was sanctioned in the year 1971. The respondent developer also did not change the nature of use of those plots even as per the brochure released by the respondent developer.
23. The claim of the developer that when attempts were made to occupy the open spaces by members of the Muslim Community and Christian Community, it was the developer who intervened and protected them by executing gift deeds as desired by the respective communities. The developer's further claim that substantial amounts were spent on developing a Masjid and a Church on the plots gifted by the developer does not entitle the developer to claim ownership of plot Nos. 428 and 474, which are specifically earmarked for specified purposes. The technical objection raised by the learned senior counsel that the prayer of the petitioner in WP.No.9661 of 2022 seeking cancellation of registered documents would have to be dealt by the appropriate Court as per the roster is concerned, a consequential prayer to the Municipal Corporation to protect and maintain the open areas earmarked for public purpose is sought for, as such, this Court can deal with the issue.
24. The developer did not have any vested right over plot Nos.428 and 474 for executing sale deeds. The developer's assumption of right and title

to the said plots cannot confer any legal right. The execution of sale deeds in favour of the purchasers of the plots which are subject of the writ petition is without any authority and as such would have to be considered as *void ab initio*. The sale deeds do not confer any title to the subject property, as the executor/vendor of the document does not have any right, title, or interest in the same. A vendor of the property cannot successfully pass on right, title and interest over any property over which he has neither right nor title.

25. During pendency of the writ petition IA.No.1 of 2025 was filed by the writ petitioners in WP.No.9661 of 2022, whereby the parties to the writ petition intended to arrive at a compromise and that the respondent No.5 developer had agreed to present a gift settlement deed dated 14.07.2025 in favour of the petitioner No.1, agreed to honour cheques bearing No.089348 and 089349 drawn on Canara Bank, Kurnool Branch in favour of the petitioner No.1 and that neither the petitioner No.1 nor any member of the petitioner No.1 can claim right over Plot Nos.428 and 474. This Court vide order dated 30.10.2025 dismissed the said interlocutory application.

26. The open spaces of any layout are to be considered as lung spaces of that society. These open spaces are generally earmarked for recreation, parks, children's playgrounds, and other conveniences or amenities for the benefit of the residents of the layout or society. These open spaces vest with the local bodies, such as municipal corporations or

municipalities,, and they cannot be leased or sold to private persons for conversion to any purpose other than the purpose for which they have been earmarked.

27. The Hon'ble Supreme Court in the matter of **Bangalore Medical Trust Vs. B.S. Muddappa and others**¹, the Hon'ble Supreme Court categorically held that there is no power vested in the local bodies or the developer of the layout to utilize the open spaces meant for parks or public purposes to be converted for other purposes.
28. The Hon'ble Supreme court in the matter of **Municipal Corporation, Ludhiana and another Vs. Balinder Bachan Singh (Dead) by LRs and others**², the Hon'ble Supreme Court held that for every locality green spaces and green belts have to be provided to provide lung space to the residents of the locality.
29. The Hon'ble Supreme Court in the matter of **Machavarapu Srinivasa Rao and another Vs. Vijayawada, Guntur, Tenali, Mangalagiri Urban Development Authority and others**³, the Hon'ble Supreme Court held that the development plan cannot be modified and the areas earmarked for public purposes cannot be converted. Similar observation and finding was made by the Hn'ble Supreme Court in the matter of

¹ (1991) 4 SCC 54

² (2004) 5 SCC 182

³ (2011) 12 SCC 154

Anjuman-E-SHiate Ali and another Vs. Gulmohar Area Societies Welfare Gropu and Others⁴.

30. Insofar as the plea that the cancellation of sale deeds registered in favour of the purchasers of open plots sold by the developer is concerned, there is no dispute that the developer of the layout had no right over the open spaces earmarked for public purposes for him to execute sale deeds. As such, this Court thinks that there are no disputed questions of fact. It is admitted by the layout developer that he executed gift deeds in favour of Muslim Community Members and Christian Community Members for the construction of a Masjid and a Church when they attempted to occupy Plot Nos. 428 and 474. It is assumed by the layout developer that he has title to Nos. Nos. and 474 as alternate plots were transferred when attempts were made to occupy the open spaces. The assumption of the layout developer will not confer any legal right, and he does not have the inherent power to execute sale deeds in favour of third parties to transfer title over areas earmarked for open spaces. Thus, this Court, under Article 226 of the Constitution of India, can annul a registered document when it is fraudulent and executed without any right or title. The Kurnool Municipal Corporation shall take all requisite steps forthwith to protect Plot Nos. 428 and 474 from encroachers by erecting fencing and signboards. The Municipal Corporation shall also have to allocate the requisite budget to

⁴ (2020) 20 SCC 698

develop the plots for public purposes. The registered documents 14985 of 2021, dated 20.10.2021; 15500 of 2021, dated 28.10.2021; 15502 of 2021, dated 28.10.2021; and 15501 of 2021, dated 28.10.2021, in favour of the third parties are a nullity in the eyes of the law.

31. Accordingly, WP.No.9661 of 2022 is allowed and WP.Nos.12157, 12676, 12678 and 12714 of 2022 are dismissed. There shall be no order as to costs.

As a sequel, miscellaneous applications pending, if any, shall stand closed.

JUSTICE HARINATH.N

Date : 14.08.2026
KGM

Whether the order is:

Speaking		Reasoned	☒
Reportable		Non-reportable	☒

THE HONOURABLE SRI JUSTICE HARINATH.N

WRIT PETITION Nos.9661, 12157, 12676, 12678 and 12714 of 2022
Dated 14.08.2026

KGM