



(SHOW CAUSE NOTICE BEFORE ADMISSION)
IN THE HIGH COURT OF ANDHRA PRADESH AT AMARAVATI
(SPECIAL ORIGINAL JURISDICTION)

THURSDAY, THE FIRST DAY OF FEBRUARY,
TWO THOUSAND AND TWENTY FOUR

:PRESENT:

THE HONOURABLE SRI JUSTICE RAVI CHEEMALAPATI
WRIT PETITION NO: 2407 OF 2024

Between:

1. Surapureddy Raja Rao, s/o Sri Surya Rao, Hindu, Cultivation, aged 66 years, r/o.D.No.1-103, Palacharla village, Rajanagaram Mandal, East Godavari District.
2. Ravipati Lakshmi Devi, w/o Nageswara Rao, d/o Surapureddy Raja Rao, Hindu, Housewife, aged 30 yrs, D.no. 1-69; Mallepalli Village, Gandepalli Mandal, East Godavari District.

...Petitioners

AND

1. The State of Andhra Pradesh, rep by its Prl. Secretary, Revenue Department, Secretariat, Velagapudi, Guntur District.
2. The Tahsildar, Korukonda Mandal, Korukonda, East Godavari District.
3. The Assistant Director, Ground Water Department, Near BSNL Office, Tilak Road, Rajamahendravaram, East Godavari District.
4. The Assistant Engineer, APEPDCL, Korukonda, East Godavari District.
5. Nurukurthi Suri Babu, s/o Bapanayya, Hindu, Cultivation, aged 35 yrs, Ramachilaka Colony, Palacharla village, Rajanagaram Mandal, East Godavari District.

...Respondents

WHEREAS the Petitioners above named through their Advocate Sri P.Rajesh Babu, presented this 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 proposed action on the part of Respondents 2&3 in sanctioning for construction of Tube Bore well to Respondent no.5, in his land of an extent of Ac. 1-50 cts in sy.no.340/3A, Nidigatla village, Rajanagaram Mandal, East Godavari District, and that the Respondent no.4 intending to provide electricity connection to the said Tube Bore Well of Respondent no.5, despite the complaints of the Petitioners followed by Legal Notices dt.07-07-2023 dt 12-01-2024, complaining that the distance between the Petitioner's Tube Bore well existing in his land of Ac. 1-64 cts in sy.no.341/2 Nidigatla village, Rajanagaram Mandal, East Godavari District, is only 70 meters and not 250 meters as per Sec.3 of AP Andhra Pradesh Water And Land Trees Act (AP WALT),2002, & Rules, is nothing but arbitrary, unlawful, unreasonable and in violation of the provisions of the Andhra Pradesh Water And Land Trees Act (AP WALT),2002, the Principles of Natural Justice and Fundamental Rights guaranteed under Art.300-A of the Constitution of India and Rules made there under by consequently directing the Respondents 2&3 and Respondent no.4 to cancel the permission and also the electricity service connection granted to Respondent no.5 for construction of Tube Bore well, in his land of an extent of Ac. 1-50 cts in sy.no.340/3A, Nidigatla village, Rajanagaram Mandal, East Godavari District;

AND WHEREAS the High Court upon perusing the petition and affidavit filed herein and upon hearing the arguments of Sri P.Rajesh Babu, Advocate for the Petitioner and of GP for Revenue for Respondent Nos. 1 and 2 and of GP for Irrigation for Respondent No.3 and of Sri M.Chandra Sekhar, Standing Counsel for the Respondent No.4, directed issue of notice to the Respondents herein to show cause as to why this WRIT PETITION should not be admitted.

You viz:

1. The Prl. Secretary, Revenue Department, State of Andhra Pradesh, Secretariat, Velagapudi, Guntur District.
2. The Tahsildar, Korukonda Mandal, Korukonda, East Godavari District.
3. The Assistant Director, Ground Water Department, Near BSNL Office, Tilak Road, Rajamahendravaram, East Godavari District.
4. The Assistant Engineer, APEPDCL, Korukonda, East Godavari District.
5. Nurukurthi Suri Babu, s/o Bapanayya, Hindu, Cultivation, aged 35 yrs, Ramachilaka Colony, Palacharla village, Rajanagaram Mandal, East Godavari District.

be and hereby are directed to show cause, either appearing in person or through Advocate, as to why in the circumstances set out in the petition and the affidavit filed therewith (copy enclosed) this WRIT PETITION should not be admitted on or before 05.02.2024, on which date the case stands posted for hearing.

THE COURT MADE THE FOLLOWING ORDER:

“Notice before admission.

Learned Government Pleader for Revenue Department takes notice on behalf of respondent Nos.1 and 2.

Learned Government Pleader for Irrigation Department takes notice on behalf of respondent No.3.

Sri M.Chandra Sekhar, learned standing counsel for APEPDCL, takes notice on behalf of respondent No.4.

For instructions, post on 05.02.2024 in the Motion List.”

//TRUE COPY//

AS Sd/- S. SRINIVASA PRASAD
ASSISTANT REGISTRAR
SECTION OFFICER

To,

1. The Prl. Secretary, Revenue Department, State of Andhra Pradesh, Secretariat, Velagapudi, Guntur District.
2. The Tahsildar, Korukonda Mandal, Korukonda, East Godavari District.
3. The Assistant Director, Ground Water Department, Near BSNL Office, Tilak Road, Rajamahendravaram, East Godavari District.
4. The Assistant Engineer, APEPDCL, Korukonda, East Godavari District.

5. Nurukurthi Suri Babu, s/o Bapanayya, Hindu, Cultivation, aged 35 yrs, Ramachilaka Colony, Palacharla village, Rajanagaram Mandal, East Godavari District. (Addressee Nos. 1 to 5 by **SPEED POST** - along with a copy of petition and affidavit)
6. One CC to SRI. P RAJESH BABU Advocate [OPUC]
7. One CC to SRI. M.CHANDRA SEKHAR, Standing Counsel [OPUC]
8. Two CCs to GP FOR REVENUE, High Court of Andhra Pradesh. [OUT]
9. Two CCs to GP FOR IRRIGATION DEPARTMENT, High Court of Andhra Pradesh. [OUT]
10. One spare copy.

PSD

HIGH COURT

RC,J

DATED:01/02/2024

NOTE: POST ON 05.02.2024 IN THE MOTION LIST.

NOTICE BEFORE ADMISSION

WP.No.2407 of 2024

