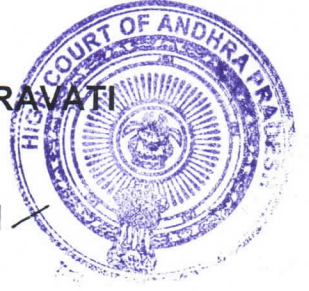


IN THE HIGH COURT OF ANDHRA PRADESH AT AMARAVATI
(SPECIAL ORIGINAL JURISDICTION)

FRIDAY, THE TWENTY EIGHTH DAY OF MARCH

TWO THOUSAND AND TWENTY FIVE



:PRESENT:

THE HONOURABLE SMT JUSTICE SUMATHI JAGADAM

WRIT PETITION NO: 7912 OF 2025

Between:

1. Kotagiri Venkata Vijaya Murali Mohan Rao, S/o. K R V Narasimha Rao, Aged about 72 years, Retired Lecturer, R/o. 7-262, Banginapalli Thota, Near Bustand, Nuzvid, Eluru District.
2. Rajulapati Sivaiah, S/o. Sambasiva Rao, Aged about 52 years, Agriculturist, R/o. Sagguru, Agiripalli Mandal, Eluru Dist.
3. K S S Dilip Kumar, S/o. K B N Krishna, Aged about 47 years, Agriculturist, R/o. Sagguru, Agiripalli Mandal, Eluru Dist.
4. K B N Krishna Rao, S/o. K. Narayanarao, Aged about 73 years, Agriculturist, R/o. Sagguru, Agiripalli Mandal, Eluru Dist.
5. Rajulapati Lakshman, S/o. Rajulapati Rangarao, Aged about 50 years, R/o. Agriculturist, R/o. Sagguru, Agiripalli Mandal, Eluru Dist.
6. Ch.V.Narasimha Rao, S/o. Ch. Rangaswamy, Aged 73 years, Agriculturist, R/o. Sagguru, Agiripalli Mandal, Eluru Dist.

...Petitioners

AND

1. The State of Andhra Pradesh, Rep by its Principal Secretary, Panchayat Raj and Rural Development Department, Secretariat Bldgs, Velagapudi, Guntur District.
2. The State of Andhra Pradesh, Rep by its Principal Secretary, Water Resources (Service-II) Department, Secretariat Bldgs, Velagapudi, Guntur District.
3. The District Collector, Eluru District Eluru.
4. The District Collector, Krishna District, Machilipatnam.

5. The Executive Engineer, Minor Irrigation, Executive Engineer, Sub Division, Vijayawada NTR District.
6. Sagguru Gram Panchayat, Rep by its Executive Officer, Sadguru Village, Agiripalli Mandal, Eluru District.
7. The Tahsildar, Gannavaram Mandal, Krishna District.
8. M/s. Mettapalli Pradhamika Mathyakarula, Sahakara Sangam, Regd. No. E-99, Rep by its President Byrava Subbarao, S/o. Venkateswara Rao, Mittapalli Village, Gannavaram Mandal, Krishna District.
9. Mellapalli Gram Panchayath, Rep by Executive Officer, Gannavaram Mandal, Krishna District.

The address for service of all notices and process etc. on the above named petitioners is that of their counsel Mr A Sreedhar, Advocate, Flat No. 102, Samruddhi Nexa Apartments, A Block, Floor, Pathuru Road, Kunchanapalli, Tadepalli 522 501, Guntur District.

...Respondents

Petition under Article 226 of the Constitution of India is filed 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 2 to 9 in not taking any action on their representations dated 21.10.2024 and 3.12.2024 submitted by the petitioners herein for making arrangements from submersion of their lands situated in Sagguru Amani Cheruvu in RS Nos. 117, 118, 110, 111, 112 and 113 situated at Sagguru Village, Agiripalli Mandal, Eluru District is illegal, arbitrary, opposed to the principles of natural justice and under Article 21 of the Constitution of India and for consequential direction directing the respondents 2 to 9 to take proper action on representations dated 21.10.2024 and 3.12.2024 submitted by the petitioners herein forthwith in the interest of justice.

IA NO: 1 OF 2025

Petition under Section 151 CPC is filed 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 2 to 9 to take proper action on representations dated 21.10.2024 and 3.12.2024 submitted by the petitioners herein pending disposal of the above WP in the interest of justice and to pass necessary order or orders as this Hon'ble Court may deem fit, Pending disposal of WP 7912 of 2025, on the file of the High Court. ✓

The petition coming on for hearing, upon perusing the Petition and the affidavit filed in support thereof and upon hearing the arguments of SRI A SREEDHAR Advocate for the Petitioners, and of Government Pleader for Panchayat Raj for Respondent No.1, and of Government Pleader for Irrigation, for Respondent Nos.2 & 5, and of Government Pleader for Revenue, for Respondent Nos. 3, 4 & 7, and of SRI. Y.KOTESWARA RAO, Standing Counsel, for the Respondent No.5, and the Court made the following ✓

ORDER:

“Learned counsel for the petitioners submits that due to severe flow of water, the petitioners' lands are being submerged and they are not in a position to cultivate the lands. He further submits that representations were made on 21.10.2024 and 03.12.2024 which are pending before the authorities for consideration. ✓

In view of the circumstances of the case, the 3rd respondent/District Collector is directed to pass appropriate orders on the representations dated 21.10.2024 and 03.12.2024, by taking into account the letter issued by the Assistant Executive Engineer, Special Section, Agiripalli vide ELR 20241114477, dated 14.11.2024, within a period of four (4) weeks from today. ✓

Post the matter on 25.04.2025. ✓

In the meantime, learned counsel for the petitioner is permitted to take out personal notice to respondent No.8 by registered post with acknowledgment due and file proof of service in the Registry."

SD/- K. KASIRAO ACHARI
ASSISTANT REGISTRAR

//TRUE COPY//

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For A

SECTION OFFICER

To,

1. The Principal Secretary, Panchayat Raj and Rural Development Department, State of Andhra Pradesh, Secretariat Bldgs, Velagapudi, Guntur District.
2. The Principal Secretary, Water Resources (Service-II) Department, State of Andhra Pradesh, Secretariat Bldgs, Velagapudi, Guntur District.
3. The District Collector, Eluru District Eluru.
4. The District Collector, Krishna District, Machilipatnam.
5. The Executive Engineer, Minor Irrigation, Executive Engineer Sub Division, Vijayawada NTR District.
6. The Executive Officer, Sagguru Gram Panchayat, Sadguru Village, Agiripalli Mandal, Eluru District.
7. The Tahsildar, Gannavaram Mandal, Krishna District.
8. Byrava Subbarao, S/o. Venkateswara Rao, The President, M/s. Mettapalli Pradhamika Mathyakarula, Sahakara Sangam, Regd. No. E-99, Mittapalli Village, Gannavaram Mandal, Krishna District.
9. The Executive Officer, Mellapalli Gram Panchayath, Gannavaram Mandal, Krishna District.

The address for service of all notices and process etc. on the above named petitioners is that of their counsel Mr A Sreedhar, Advocate, Flat No. 102, Samruddhi Nexa Apts, A Block, Floor, Pathuru Road, Kunchanapalli, Tadepalli 522 501, Guntur District. (Addresses 1 to 9 by RPAD)

10. One CC to SRI. A SREEDHAR, Advocate [OPUC]

11. Two CCs to GP FOR PANCHAYAT RAJ, High Court of Andhra Pradesh. [OUT]
12. Two CCs to GP FOR IRRIGATION, High Court of Andhra Pradesh. [OUT]
13. Two CCs to REVENUE, High Court of Andhra Pradesh. [OUT]
14. One CC to SRI. Y.KOTESWARA RAO, STANDING COUNSEL, High Court of Andhra Pradesh. [OPUC]
15. **One spare copy**

KN

HIGH COURT

JS,J

DATED:28/03/2025

POST THE MATTER ON 25.04.2025

ORDER

WP.No.7912 of 2025

DIRECTION

