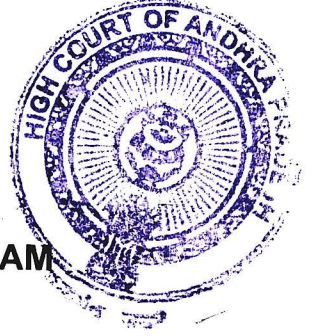


**IN THE HIGH COURT OF ANDHRA PRADESH AT AMARAVATI
(SPECIAL ORIGINAL JURISDICTION)**

**THURSDAY, THE SEVENTEENTH DAY OF APRIL
TWO THOUSAND AND TWENTY FIVE**

:PRESENT:

THE HONOURABLE SMT JUSTICE SUMATHI JAGADAM



WRIT PETITION NO: 8591 OF 2024

Between:

1. Kayala Srinivasarao, S/o. Bapanna, Aged about 55 years, Occ: Agriculture, R/o. Main Road, Muthyalapalli Village, Mogalthur Mandal, West Godavari District, Andhra Pradesh.
2. Donga Eswar Rao, S/o. Nelabaludu, Aged about 40 years, Occ: Agriculture, R/o. Main Road Muthyalapalli Village, Mogalthur Mandal, West Godavari District, Andhra Pradesh.

Petitioner/s.

AND

1. The State of Andhra Pradesh, rep.by Principal Secretary, Water Resource Department, Secretariat buildings, at Velagapudi, Amaravati, Guntur, Andhra Pradesh.
2. The Chief Engineer, Godavari Delta System, Dowleswaram, East Godavari District.
3. The District Collector, West Godavari District at Bhimavaram, West Godavari.
4. The Revenue Divisional Officer/Sub Collector, Narasapuram Sub Division, Narasapuram, West Godavari District.
5. The Executive Engineer, Drainage Division, Water Resource Department, Bhimavaram, West Godavari District.

6. The Divisional Executive Engineer, Drainage Division, Water Resource Department, Palakol, West Godavari District.
7. The Tahsildar, Mogalturu Village and Mandal, West Godavari District.

Respondent/s.

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, the acts, deeds, and things of the Respondents in not taking any action preventing the closing of the Gonteru drain (Upputeru) from the encroachments and digging, fish and prawn tanks within the bed area of the above drainage canal in between Mutyalapalli and Varathippa Panchayat areas (Mutyalapalli Revenue area), is illegal, arbitrai, unreasonable and also violation of the Public Trust Doctrine, Inter-Generational Equity and also violation of article 14, 19, 21 and 300-A of the Constitution of India and consequently direct the Respondents 1 to 7 to take necessary action for protection of the Gonteru Drain (Upputeru) from encroachments i.e. digging Prawn and fish tanks in the bed area

IA NO: 1 OF 2024

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 to direct the Respondent No.1 to 7 to prevent the illegal digging of prawn and fish tanks in the drainage bed area of Gonteru Drain (Upputeru) in between Mutyalapalli- Varathippa panchayats (Mutyalapalli Revenue Village) and from encroachments pending disposal of the above writ petition

The petition coming on for hearing, upon perusing the Petition and the affidavit filed in support thereof and upon hearing the arguments of Sri. DASARI S V V S V PRASAD, Advocate for the Petitioners, GP FOR

IRRIGATION COMM AREA DEV for the Respondent Nos. 1,2,5 & 6 and GP FOR REVENUE, for the Respondent Nos. 3, 4 & 7;

The Court made the following ORDER:

The 3rd respondent-District Collector is directed to place the report with regard to action taken against the encroachers in Mutyalapalli and Varathippa Panchayat areas (Mutyalapalli Revenue area), West Godavari District.

Post the matter after two (02) weeks.

//TRUE COPY//

**SD/- G.HELANAIDU
ASSISTANT REGISTRAR
SECTION OFFICER**

To,

1. The Principal Secretary, Water Resource Department, The State of Andhra Pradesh, Secretariat buildings, at Velagapudi, Amaravati, Guntur, Andhra Pradesh. (BY SPECIAL MESSENGER)
2. The Chief Engineer, Godavari Delta System, Dowleswaram, East Godavari District.
3. The District Collector, West Godavari District at Bhimavaram, West Godavari. (SPEED POST)
4. The Revenue Divisional Officer/Sub Collector, Narasapuram Sub Division, Narasapuram, West Godavari District.
5. The Executive Engineer, Drainage Division, Water Resource Department, Bhimavaram, West Godavari District.
6. The Divisional Executive Engineer, Drainage Division, Water Resource Department, Palakol, West Godavari District.
7. The Tahsildar, Mogalturu Village and Mandal, West Godavari District. (Addressee Nos. 2 to 7 BY RPAD)
8. One CC to Sri. DASARI S V V S V PRASAD, Advocate [OPUC]

9. Two CCs to GP FOR IRRIGATION COMM AREA DEV, High Court Of Andhra Pradesh. [OUT]

10. Two CCs to GP FOR REVENUE, High Court Of Andhra Pradesh. [OUT]

11. One spare copy

JSS

HIGH COURT

JS, J

DATED:17/04/2025

POST THE MATTER AFTER TWO (02) WEEKS.

ORDER

WP.No.8591 of 2024

DIRECTION

