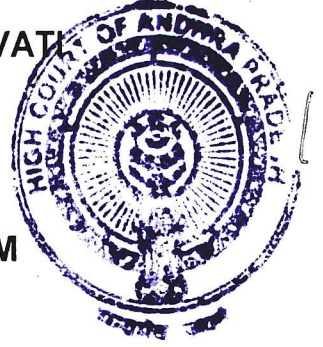


IN THE HIGH COURT OF ANDHRA PRADESH AT AMARAVATI
(SPECIAL ORIGINAL JURISDICTION)
TUESDAY, THE SIXTH DAY OF MAY
TWO THOUSAND AND TWENTY FIVE

:PRESENT:

THE HONOURABLE SMT JUSTICE SUMATHI JAGADAM
WRIT PETITION NO: 27557 OF 2024



Between:

1. Pathi Pedda Venkata Subbaiah, S/o Bala Naganna,
age 72 years, Occ: Farmer, Kanala Village, Nandyala Mandal,
Nandyala District, Erstwhile Kurnool District.
2. P.D.Sekhar, S/o. P.H Hussain, aged 49 years,
Occ: farmer, R/o. Kanala Village,
Nandyal Mandal Nandyal District,
Erstwhile Kurnool District.
3. Pittala Madar Sab, S/o Nadipi Madar Sab,
aged 72 years, Occ: Farmer, Kanala Village,
Nandyal Mandal, Nandyal District,
Erstwhile Kurnool District.
4. Dudekula Pedda Naga Hussain, S/o China Nagappa,
aged 60 years, Occ Farmer, Kanala Village,
Nandyal Mandal, Nandyal District,
Erstwhile Kurnool District.
5. Chandabai Gari Jamal Basha, S/o Jamal sab,
aged 55 years, Occ: Farmer, Kanala Village,
Nandyal Mandal, Nandyal District,
Erstwhile Kurnool District.
6. Pittal Jakeer, S/o. Sattar, Age 45 years,
Occ: Farmer, Kanala Village, Nandyal Mandal,
Nandyala District, Erstwhile Kurnool District.
7. Sayed Kareem Basha, S/o. Syed Kasim,
Age 50 years, Occ: Farmer, Kanala Village,
Nandyal Mandal, Nandyal District,
Erstwhile Kurnool District.

Petitioners

And

- 6 -

1. The State of Andhra Pradesh,
Rep. by its Principal Secretary,
Water Resources Department, Secretariat,
Velagapudi, Amaravati, Guntur District.
2. The District Collector, Nandyal,
Nandyal District at Nandyal,
Erstwhile Kurnool District.
3. The Superintending Engineer, Irrigation Circle.
Railway Station Road, Nandyal, Nandyal District,
Erstwhile Kurnool District.
4. The Executive Engineer, KC Canal Regular,
Nandyal, Nandyal District, Erstwhile Kurnool District.
5. The Deputy Engineer, KC Canal, Nandyal.
Nandyal, Nandyal District, Erstwhile Kurnool District.
6. The Assistant Executive Engineer,
KC Canal Sub-Division Nandyal,
Nandyal District, Erstwhile Kurnool District.
7. The Deputy Engineer, KC Canal Sub-Division,
Allagadda, Nandyal District,
Erstwhile Kurnool 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 respondents in contemplating to reopen the unauthorized and closed fourth sluice of Kanala Nagamma Tank in Kanala Village, Nandyala Mandal, Nandyala District, as illegal, arbitrary and in violation of the binding decree and orders of Hon'ble Courts in O.S. No. 424/2003 on the file of the court of Learned Principal Junior Civil Judge, Nandyal and W.P. No. 8807/2021 on the file of this Hon'ble Court and infringement of the petitioners' fundamental rights under Articles 14, 21, and 300A of the Constitution of India and consequently direct the respondents not to reopen the said sluice.

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 respondents not to open unauthorized fourth sluice of Kanala Nagamma Tank in Kanala Village, Nandyala Mandal Nandyala District, abiding by the Order and Decree in OS No. 424 of 2003 on the file of the court of Learned Principal Junior Civil Judge, Nandyal and Order dt. 08.07.2021 passed in WP No. 8807 of 2021 on the file of this Hon'ble Court, pending disposal of the main 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. PETLURI NAGA RAJU Advocate for the Petitioners, GP FOR IRRI AND CAD for the Respondent Nos. 1 to 7;

The Court made the following ORDER:

Heard.

Since the matter requires consideration, there shall be a direction to the respondent not to reopen the forth sluice of Kanala Nagamma

Tank in Kanala Village, Nandyala Mandal and District, for a period of eight (8) weeks.

Post the matter immediately after Summer Vacation, 2025.

Sd/- U. SRI DEVI
ASSISTANT REGISTRAR

//TRUE COPY//

SECTION OFFICER

To,

1. The Principal Secretary, Water Resources Department, The State of Andhra Pradesh, Secretariat, Velagapudi, Amaravati, Guntur District.
(BY SPECIAL MESSENGER)
2. The District Collector, Nandyal, Nandyal District at Nandyal, Erstwhile Kurnool District.
3. The Superintending Engineer, Irrigation Circle, Railway Station Road, Nandyal, Nandyal District, Erstwhile Kurnool District.
4. The Executive Engineer, KC Canal Regular, Nandyal, Nandyal District, Erstwhile Kurnool District.
5. The Deputy Engineer, KC Canal, Nandyal. Nandyal, Nandyal District, Erstwhile Kurnool District.
6. The Assistant Executive Engineer, KC Canal Sub-Division Nandyal, Nandyal District, Erstwhile Kurnool District.
7. The Deputy Engineer, KC Canal Sub-Division Allagadda, Nandyal District, Erstwhile Kurnool District. (Addressee Nos. 2 to 7 BY RPAD)
8. One CC to Sri. PETLURI NAGA RAJU, Advocate [OPUC]
9. Two CCs to GP FOR IRRI AND CAD, High Court Of Andhra Pradesh.
[OUT]
10. One spare copy
JSS

HIGH COURT

JS, J

DATED:06/05/2025

POST THE MATTER IMMEDIATELY AFTER SUMMER VACATION, 2025.

ORDER

WP.No.27557 of 2024



DIRECTION