

APHC010581032024



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

[3332]

THURSDAY, THE TWELFTH DAY OF FEBRUARY
TWO THOUSAND AND TWENTY SIX

PRESENT

THE HONOURABLE SRI JUSTICE RAVI CHEEMALAPATI

WRIT PETITION NO: 30227/2024

Between:

1. SATHARASI NARASAMMA, W/O. SATHARASI PENCHAIAH, AGED 84 YEARS, R/O. PERIYAVARAM VILLAGE, VENKATAGIRI MANDAL, TIRUPATI DISTRICT.
2. VEMPATI LAKSHMI KANTHAMMA, W/O. VEMPATI SUBRAMANYAM, AGED 59 YEARS, R/O. 1-8, PERIYAVARAM VILLAGE, VENKATAGIRI MANDAL, TIRUPATI DISTRICT.
3. SATHARASI PADMAMMA,, W/O. SATHARASI BALAIAH, AGED 54 YEARS, R/O. 1-49, PERIYAVARAM VILLAGE VENKATAGIRI MANDAL, TIRUPATI DISTRICT.

...PETITIONER(S)

AND

1. THE STATE OF AP, REPRESENTED BY ITS PRINCIPAL SECRETARY, REVENUE DEPARTMENT, SECRETARIAT BUILDINGS, AMARAVATHI AT VELAGAPUDI, GUNTUR DISTRICT.
2. THE DISTRICT COLLECTOR AND EXECUTIVE MAGISTRATE, TIRUPATI DISTRICT
3. THE TAHSILDAR, VENKATAGIRI.
4. THE EXECUTIVE ENGINEER, MINOR IRRIGATION DEPARTMENT, VENKATAGIRI, TIRUPATI DISTRICT.
5. THE DY EXECUTIVE ENGINEER, IRRIGATION DEPARTMENT,

VENKATAGIRI, TIRUPATI DISTRICT.

6.THE ASSISTANT ENGINEER, IRRIGATION DEPARTMENT,
VENKATAGIRI, TIRUPATI 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 issue writ, order or direction more particularly one in the nature of Writ of Mandamus under Article 226 of the constitution of India by declaring the action of the Respondents in taking steps for laying concrete road on the natural stream (by closing completely), flowing from Periyavaram Tank to Mogalagunta Village which is passing through Sy. No.'s 221/10, 221/7 and 222/1 of Periyavaram Village, Venkatagiri Mandal, Tirupati District, though the same is prohibited under law and which deprives the petitioners from using the said natural canal for their agricultural operations as highly illegal, arbitrary and contrary to public trust doctrine and Art 21, 300-A of Constitution of India and consequently direct the respondents not to lay any road or any structure on the above stated natural canal and pass

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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 proceed further in laying the road by closing the natural water stream flowing from Periyavaram Tank to Mogalagunta Village, pending disposal of the above writ petition and to pass

Counsel for the Petitioner(S):

1.BUGULU SREETEJA

Counsel for the Respondent(S):

1.GP FOR REVENUE

2.GP FOR IRRI AND CAD

The Court made the following:

ORDER

The grievance of the petitioners is that the respondent authorities are taking steps to lay concrete road on the natural stream by closing it completely, flowing from Periyavaram tank to Mogalagunta Village, passing through Survey Nos.221/10, 221/7 and 222/1 of Periyavaram Village, Venkatagiri Mandal, Tirupati District.

2. The learned Assistant Government for Irrigation by placing the written instructions of the Executive Engineer, WRD, Irrigation Division, Venkatagiri, Tirupathi District, submitted that the authorities have no intention to lay concrete road as alleged by the petitioner. The writ petition being meritless is liable to be dismissed.

3. Sri Patil Yugandhar Reddy, learned counsel, prayed to close the writ petition recording the contents of the written instructions.

4. In view of the above, the writ petition is closed. There shall be no order as to costs.

Pending miscellaneous petitions, if any, shall stand closed.

JUSTICE RAVI CHEEMALAPATI

12th February, 2026.

RR