

[3311]

IN THE HIGH COURT OF ANDHRA PRADESH AT AMARAVATI
FRIDAY, THE TWENTY SEVENTH DAY OF DECEMBER
TWO THOUSAND AND TWENTY FOUR

:PRESENT:

THE HONOURABLE MS JUSTICE B S BHANUMATHI



IA No. 1 OF 2024

IN

WP NO: 30227 OF 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.

...Petitioners

(Petitioner in WP 30227 OF 2024
on the file of High Court)

AND

1. The State of Andhra Pradesh, 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.

...Respondents
(Respondents in-do-)

Counsel for the Petitioner :SRI BUGULU SREETEJA

Counsel for the Respondent Nos.1 to 3 :GP FOR REVENUE

Counsel for the Respondent Nos.4 to 6: GP FOR IRRIGATION

Petition under Section 151 CPC is filed praying that in the circumstances stated in the grounds 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 WP No. 30227 of 2024, on the file of the High Court.

The court while directing issue of notice to the Respondents herein to show cause as to why this application should not be complied with, made the following order.(The receipt of this order will be deemed to be the receipt of notice in the case).

ORDER:

“This application is filed 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.

The learned counsel for the petitioners submitted that the natural water stream is being closed by using men and machinery and such high-handed action on part of the respondents cannot be resisted without passing any interim direction.

The learned Assistant Government Pleader placed on record the written instructions of the 5th respondent, dated 27.12.2024, and

submitted that the Deputy Executive Engineer, WRD, Venkatagiri, requested the Tahsildar, Venkatagiri Mandal for submission of a detailed survey report of Kalujukalava of Periyavaram Tank in Venkatagiri Mandal of Tirupati District and the survey report is awaited and after the receipt of the same, the report and the detailed facts would be submitted.

A perusal of the written instructions reveals that there is no denial of existence of the natural course of water flowing from Periyavaram tank to Mogalagunta Village as stated by the petitioners. Moreover, the respondents also are waiting for the survey report to proceed further. There is no specific denial of the action as alleged by the petitioners. Under these circumstances, interim relief as requested is granted, effective until 21.01.2025"

//TRUE COPY//

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SD/- M. SRINIVAS
ASSISTANT REGISTRAR

SECTION OFFICER

To,

1. The Principal Secretary, Revenue Department, Secretariat Buildings, Amaravathi at Velagapudi, Guntur District, State of Andhra Pradesh (BY SPECIAL MESSENGER)
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.(Addressee Nos.2 to 6 By RPAD)
7. One CC to SRI. BUGULU SREETEJA Advocate [OPUC]

8. Two CCs to GP FOR REVENUE, High Court of Andhra Pradesh.
[OUT]

9. Two CCs to GP FOR IRRIGATION, High Court of Andhra Pradesh.
[OUT]

10. One spare copy

KJ

HIGH COURT

BSB,J

DATED:27/12/2024

ORDER

IA No. 1 OF 2024

IN

WP.No.30227 of 2024

INTERIM DIRECTION

