



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

[3328]

FRIDAY, THE FIFTH DAY OF DECEMBER
TWO THOUSAND AND TWENTY FIVE

PRESENT

**THE HONOURABLE SRI JUSTICE GANNAMANENI RAMAKRISHNA
PRASAD**

WRIT PETITION NO: 10675 OF 2008

Between:

1.M/S SREE VIJAYA SREEJA,, POWER PROJECTS (P) LTD., REP BY
ITS MANAGING DIRECTOR, B.KRISHNA KISHORE, S/O.
B.S.J.V.RAMANA REDDY.

...PETITIONER

AND

1.THE GOVERNMENT OF ANDHRA PRADESH, REP BY ITS
SECRETARY TO GOVERNMENT, IRRIGATION & CAD
(PW:REFORMS) DEPARTMENT, SECRETARIAT, HYDERABAD.

2.THE VICECHAIRMAN MANAGING DIRECTOR, NON-CNVENTIONAL
ENERGY DEVELOPMENT CORPORATION OF A.P., LTD. (NEDCAP)
REGD.OFFICE:5-8-207/2, PISGAH COMPLEX, NAMPALLY,

3.M/S SRI PARAMATHALLI MINI HYDRO POWER PROJECT PVT LTD,
REP BY ITS MANAGING DIRECTOR,BYPASS ROAD,
PARVATHIPURAM, VIZIANAGARAM DISTRICT.

...RESPONDENT(S):

Counsel for the Petitioner:

1.SITA RAM CHAPARLA

Counsel for the Respondent(S):

1.ALAPATI VIVEKANANDA (SC FOR NREDCAP)

2. TADDI NAGESWARA RAO

3. GP FOR IRRIGATION & COMM AREA DEV

4. NONE

The Court made the following ORAL ORDER:

Heard Sri Sita Ram Chaparla, Ld. Counsel for the Writ Petitioner and Sri Seepani Satish Kumar, Ld. Asst. Government Pleader for Irrigation and CAD and Sri Taddi Nageswara Rao, Ld. Counsel for the Respondent No.3.

2. The prayer sought in the present Writ Petition is as under:

"It is therefore prayed that this Hon'ble Court may be pleased to issue a Writ or order or direction more particularly one in the nature of Writ of Mandamus or any other appropriate writ, declaring the action of the 2nd respondent in according sanction of "Mini Hydel Power Project" in favour of the 3rd respondent herein vide Ref.No.NEDCAP/MHS/SPMHPPL/N488/ 2007-08/1752, dt. 08.02.2008 on Bodurugedda stream of Suvarnamukhi river using the bed fall near Dandigam Village, Salur Mandal, Vizianagaram District, despite the fact that petitioner's application for the same sight is pending before the 2nd respondent, as illegal, arbitrary, violative of constructional provisions and contrary to the G.O.s and their own proceedings and against all canons of fair-play and natural justice and consequently set-aside the same and pass such other order or orders as this Hon'ble Court may deem fit and proper in the interest of Justice."

3. Admittedly, this Writ Petition is of the year 2008. At the admission stage, vide Order dated 22.05.2008, this Court had passed the following interim Order:

"Status Quo as on today shall be maintained. However, if the location of the project proposed in the Petitioner's application is different from that of the third respondent, the third respondent is at liberty to proceed with the matter, as per Law."

4. Sri T. Nageswara Rao, Ld. Counsel appearing on behalf of the Respondent No.3 submits that in terms of the interim order, the said Respondent has already set up a Hydel Project in a location which is not covered by the demand made by the Writ Petitioner. He would also submit that the Hydel Project was started but for the various reasons, the same could not be completed.

5. In view of the dispute with regard to location and also in view of the fact that the Respondent No.3 had already established the Power Plant and did not become operative for various other reasons, this Court is of the opinion the cause of action does not survive.

6. Accordingly, this Writ Petition is disposed of. No order as to costs.

7. Interlocutory Applications, if any, stand closed in terms of this order.

GANNAMANENI RAMAKRISHNA PRASAD, J

Dt: 05.12.2025

Mnr

141

HON'BLE SRI JUSTICE GANNAMANENI RAMAKRISHNA PRASAD

WRIT PETITION No.10675 OF 2008

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Mnr