

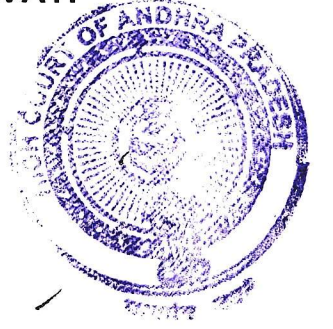
**IN THE HIGH COURT OF ANDHRA PRADESH AT AMARAVATI
(SPECIAL ORIGINAL JURISDICTION)**

**FRIDAY, THE FOURTEENTH DAY OF NOVEMBER,
TWO THOUSAND AND TWENTY FIVE**

:PRESENT:

THE HONOURABLE SRI JUSTICE HARINATH.N

WRIT PETITION NO: 31517 OF 2025



Between:

M/s. Ahobila Prime Ventures, Represented by its authorized signatory And Managing Partner, Sri Karnam Ramesh Babu, S/o. K.Srinivasulu, Aged 46 years, Having its office at D.No.1-2-427/222, Singapore Township, Allgadda, Kurnool District, Andhra Pradesh.

...Petitioner

AND

1. The State of Andhra Pradesh, Rep. by its Principal Secretary, Water Resources Department, Service Road, Currency Nagar, Near Ramavarappadu Circle, Vijayawada, Andhra Pradesh.
2. The District Collector, Nandyal, Nandyal.
3. The Tahsildar, Allagadda, Andhra Pradesh.
4. The Sub-Registrar, Allagadda, Kurnool, Kurnool District - 518543.
5. The Chief Engineer, Water Resources Department Door No. 48-10-9/1, N.H. Feeder Road, near Ramavarappadu Circle, Currency Nagar, Vijayawada- 520008.
6. The Chief Engineer, (Projects) Irrigation, Water Resources Department, River View Colony, Kurnool, Kurnool District.
7. The Executive Engineer, Water Resources Department, Nandyal.
8. The Deputy Executive Engineer, Water Resources Department, Allagadda, Nandyal.
9. Alagadda Municipality, Rep.by its Commissioner, Allagadda, Nandyal.

...Respondents

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 to issue a Writ order or direction, more particularly one in the nature of Writ of Mandamus declaring the action of Respondents in issuing the proceedings dated 30.09.2024 bearing Lr.No.CE/KNL/ICD32-TW/160/2024(2530910)/DEE4/AEE3/LAQ and proceedings dated 01.03.2025 issued vide Proc.No.CE/KNL/ICD31-TW/160/2025 (2530910)/DEE(MB)/AEE3/KCC-GL cancelling the NOC of Memo No. ICD 32-TW/KCC/113/2018-DEE4-AEE3 dt.15.10.2018 without notice to the Petitioner as being illegal, arbitrary and in violative of Article 14 and 300-A of the Constitution of India and to consequently set-aside the impugned notice dated 05.11.2025 vide ROC No: 398/G1/2025 issued by the 9th respondent declaring the Petitioner's layout as unauthorized.

IA NO: 1 OF 2025

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 suspend the impugned notice vide ROC No: 398/G1/2025 dated 05.11.2025, pending disposal of WP 31517 of 2025, on the file of the High Court.

The petition coming on for hearing, upon perusing the Petition and the affidavit filed in support thereof and upon hearing the arguments of Sri P.Sri Ram, Advocate for the Petitioner and of GP FOR IRRIGATION for Respondent Nos. 1, 5 to 8 and of GP for Revenue for Respondent Nos. 2 to 4 and of Sri G.Lakshmi Narayana, Standing Counsel for Respondent No.9, the Court made the following

ORDER:

“1. Sri P.Sri Raghu Ram, the learned Senior Counsel appearing for the petitioner virtually online submits that the petitioner is aggrieved by the issuance of the notice dated 05.11.2025, whereby the 9th respondent has called upon the petitioner to explain the reasons for not cancelling the lay out permission granted to the petitioners. The impugned notice

would refer to the letter of the Deputy Executive Engineer dated 10.02.2025 and the letter of the 2nd respondent dated 01.11.2025.

2. It is submitted that the property over which the petitioner formed a lay out was coming in the way of KC canal channel, as such permission to realign the same at the cost of the petitioner was sought from the competent authority. The competent authority has approved the proposal of the petitioner on 17.09.2018. It is submitted that in pursuance of the said approval, the petitioner at his expenses realigned the canal channel and thereafter formed the lay out and sold the plots.

3. As the things stood thus, the 6th respondent has addressed a letter dated 30.09.2024 to the 2nd respondent duly informing that the KC canal lands were filled up with soil and sold as plots without permission and as such, the area would have to be kept under Section 22-A of the Registration Act. Challenging the same, the petitioner filed W.P. No. 19570 of 2024 wherein this court granted interim direction leaving it open for the respondents to follow the due process of law.

4. The learned Senior Counsel submits that, instead of following the due process of law as contemplated, the respondents have now come up with the proposal of cancelling the realignment channel which was sanctioned on 17.09.2018 and now proposed to reclaim realignment canal. In that regard, the impugned proceedings have been issued.

5. The learned Standing Counsel appearing for the 9th respondent submits that on receipt of the remarks from the Deputy Executive Engineer, KC canal and Executive Engineer, Water Resources Department, KC canal, the 9th respondent has issued notice. It is also submitted that it is only show cause notice issued to the petitioner and that the petitioner would have to submit his explanation.

6. The learned Assistant Government Pleader for respondents 5 to 8 submits that the petitioner has violated the conditions of canal channel realignment and has encroached into the canal.

7. Counters are to be filed.

8. In the meanwhile, there shall be stay of the impugned notice.

9. Post on 05.12.2025.”

//TRUE COPY//

SD/- P.VINOD KUMAR
DEPUTY REGISTRAR

SECTION OFFICER

To,

1. The Principal Secretary, Water Resources Department, State of Andhra Pradesh, Service Road, Currency Nagar, Near Ramavarappadu Circle, Vijayawada, Andhra Pradesh.
2. The District Collector, Nandyal, Nandyal.
3. The Tahsildar, Allagadda, Andhra Pradesh.
4. The Sub-Registrar, Allagadda, Kurnool, Kurnool District - 518543.
5. The Chief Engineer, Water Resources Department Door No. 48-10-9/1, N.H. Feeder Road, near Ramavarappadu Circle, Currency Nagar, Vijayawada- 520008.
6. The Chief Engineer, (Projects) Irrigation, Water Resources Department, River View Colony, Kurnool, Kurnool District.
7. The Executive Engineer, Water Resources Department, Nandyal.
8. The Deputy Executive Engineer, Water Resources Department, Allagadda, Nandyal.
9. The Commissioner, Alagadda Municipality, Allagadda, Nandyal.
(Addressee Nos. 1 to 9 by RPAD)
10. One CC to Sri P.Sri Ram, Advocate [OPUC]
11. One CC to Sri G.Lakshmi Narayana, Advocate [OPUC]
12. Two CCs to GP FOR IRRIGATION, High Court of Andhra Pradesh.
[OUT]
13. Two CCs to GP FOR REVENUE, High Court of Andhra Pradesh. [OUT]
14. One spare copy.

PSD

HIGH COURT

HN,J

DATE:14/11/2025

NOTE: POST ON 05.12.2025

ORDER

WP.No.31517 of 2025

STAY

