

**HIGH COURT OF ANDHRA PRADESH AT AMARAVATI**

**MAIN CASE No. W.P.No.7126 of 2016**

**PROCEEDING SHEET**

<b>Sl. No.</b>	<b>DATE</b>	<b>ORDER</b>	<b>OFFICE NOTE</b>
	08.04.2026	<p><b><u>VN, J</u></b></p> <p>The present writ petition is filed declaring the action of Respondents in not initiating any action against Respondent No.5 for violating the conditions incorporated in D-form patta dated 06.12.1977 by causing obstruction to the cart track as well as the drainage (Murugukondu) situated in Sy.Nos.164 and 183 of Sivadevuni Chikkala Village, Palakol Mandal, inspite of the representations as illegal and arbitrary.</p> <p>Petitioner is owner of an extent of Ac.3.39 cents in Sy.Nos.163/1A and 163/2B and Ac.2.00 cents in Sy.No.158 situated in Sivadevuni Chikkala Village, Palakol Mandal, West Godavari District. Adjacent to the land of the Petitioner, there is a drainage channel, locally called Murugukondu.</p> <p>Respondent No.5 was granted D-Form patta on 06.12.1977. However, Respondent No.5 had occupied part of the drainage channel (Murugukondu) and had raised</p>	

	<p>coconut trees in the said land.</p> <p>This Court, taking note of the submissions, directed Respondent Nos.2 and 3 to clear the drainage channel (Murugukondu) and restore it to its normal position and file an affidavit to that extent. Pursuant thereto, Respondent Nos.2 and 3 had filed an affidavit stating that the drainage channel (Murugukondu) was restored to its original position.</p> <p>Learned counsel for the Petitioner disputes the same.</p> <p>Heard learned counsel for both the parties.</p> <p>Considering that the dispute now raised requires firsthand information at the field level, this Court is of the opinion that the controversy can be resolved by appointing an Advocate Commissioner to visit the subject lands and file a report by the next date. Learned counsel for the Petitioner expresses his willingness for appointment of an Advocate Commissioner and bear costs.</p> <p>Therefore, there shall be an interim direction as under:</p> <p>(i) Sri S. V. Maruti Sankar (25604) is appointed as Advocate Commissioner to visit the land in question and note down the</p>	
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	<p>status of drainage channel (Murugukondu) situated in Sy.Nos.164 and 183 of Sivadevuni Chikkala Village, Palakol Mandal and submit a report by the next date. The Irrigation Officers, Revenue Officials and the Executive Officer of the local Gram Panchayat shall be present along with revenue records and irrigation channel map and help the Advocate Commissioner in noting the status of the drainage channel.</p> <p>(ii) Registry to furnish a scanned copy of the entire file to the Advocate Commissioner.</p> <p>(iii) The Advocate Commissioner shall issue prior notice to the counsel for the Petitioners, Respondents and Government Pleader for Irrigation.</p> <p>(iv) The Official Respondents shall extend cooperation and protection to the Advocate Commissioner.</p> <p>(v) The fees of the Advocate Commissioner is fixed at Rs.40,000/- and an additional sum of Rs.10,000/- to meet his expenses. The amount shall be paid by the Petitioner.</p> <p style="text-align: center;">Post on 28.04.2026.</p> <p style="text-align: right;">_____ VN,J</p> <p>KLP</p>	
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