

IN THE HIGH COURT OF JUDICATURE AT HYDERABAD
FOR THE STATE OF TELANGANA AND THE STATE OF ANDHRA PRADESH

THURSDAY THE FIRST DAY OF OCTOBER
TWO THOUSAND AND FIFTEEN

PRESENT
HONOURABLE SRI JUSTICE A.V. SESA SAI

WRIT PETITION NO. 29095 OF 2015

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Between:

Balusupadu Lift Irrigation Scheme

Rythula Abirudhi Sankeshama Sangam

[Regd.No.413/2003]

Rep. by its President,

B.Hanumantha Rao,

Balusupadu (v), Peddakurapadu Mandal

Guntur district. ... Petitioner

Vs.

The State of Andhra Pradesh

Industries & Commerce [Mines-IV] Department

Represented by its Prl.Secretary,

Secretariat, Hyderabad & Ors. ... Respondents

Counsel for the Petitioner: Sri Gaddam Srinivas

Counsel for the Respondents: GP for Mines & Geology [AP]

GP for Panchayath Raj & Rural

Development.

The Court made the following: [order follows]

HONOURABLE SRI JUSTICE A.V. SESA SAI

WRIT PETITION NO. 29095 OF 2015

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O R D E R :

This writ petition is filed under Article 226 of the Constitution of India for the following relief :

“To declare the action of the respondents particularly the respondents 2 and 3 in not permitting the petitioner society to remove the sand shoals on the right side flank of the river near by lift irrigation scheme maintained by the petitioner to enable to supply adequate water to the ayacutdars/farmers .despite the recommendations of respondent No.5, as arbitrary, illegal and consequently to direct the respondents 2 and 3 to permit the petitioner society to remove the sand shoals to an extent of 1,01,172 cubic meters covering 25 acres in the area of operation of the petitioner society lift irrigation scheme and to pass such other suitable orders as this court deems fit and proper in the circumstances of the case.”

2. Heard Sri Gaddam Srinivas, learned counsel for the petitioner, learned Government Pleader for Mines and Geology and the learned Government Pleader for Panchayat Raj and Rural Development.

3. During the course of hearing, it is brought to the notice of this court that the petitioner herein for the purpose of redressal of grievance submitted a representation dated 15/5/2015 to the respondents 2 and 3 and the learned counsel for the petitioner has requested this court to direct the third respondent to take appropriate action on the said representation as per law.

4. This court considers the said request as reasonable. For the aforesaid reasons, without expressing any opinion on the merits or demerits of the matter, this writ petition is disposed of directing the third respondent to take appropriate action on the representation dated 15/5/2015 said to have been submitted by the petitioner herein in accordance with law within a period of two months from the date of receipt of a copy of this order.

5. With the above direction, the writ petition is disposed of at the stage of

admission. There shall be no order as to costs.

6. As a sequel, miscellaneous petitions if any, pending in this writ petition shall stand closed.

JUSTICE A.V.SESHA SAI

01/10/2015
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HONOURABLE SRI JUSTICE A.V. SESHA SAI

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Court Master: I s L