

THE HON'BLE SRI JUSTICE C.V.NAGARJUNA REDDY

Writ Petition No.3331 of 2011

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Dated 29th July, 2015

Between:

A.V.Subba Reddy and others

...Petitioners

And

The State of Andhra Pradesh, rep.by its Principal Secretary, Irrigation & CAD
Department, Secretariat Buildings, Hyderabad and others

...Respondents

Counsel for the petitioners: Sri M.N.Narasimha Reddy

Counsel for respondent Nos.1 to 5: AGP for Irrigation & CAD (AP)

The Court made the following:

ORDER:

This writ petition is filed for a mandamus to direct the respondents not to proceed with the proposed 'Vathalur Reservoir' and to declare G.O.Ms.No.108, Irrigation & CAD

(MAJ.IRRI.IV), Department, dated 01.09.2009, and tender notice bearing No.1/2009-2010, dated 17.11.2009, of respondent No.4, as illegal and arbitrary.

At the hearing, Sri M.N.Narasimha Reddy, learned counsel for the petitioners, has placed before the Court a copy of Memo bearing No.4576/M&MI-R-III/A2/2011, dated 19.04.2012, of the Government of Andhra Pradesh, Irrigation & CAD (M&MI-R.III) Department, dated 19.04.2012, whereunder the Chief Engineer (P) Irrigation, Kadapa was instructed to defer the execution of the scheme till various technical issues relating to the project are examined and settled. The learned Assistant Government Pleader for Irrigation & CAD (AP) submitted that in pursuance of the said Memo, work has been deferred and that the same is not being taken up as of now.

The learned counsel for the petitioners submitted that in view of the above-mentioned Memo, the writ petition may be closed with liberty to the petitioners to avail a fresh remedy in the event the respondents seek to proceed with the work.

Having regard to the above facts and circumstances of the case, the writ petition is closed with liberty to the petitioners in terms of the prayer made.

As a sequel to disposal of the writ petition, W.P.M.P.No.4132 of 2011 shall stand disposed of as infructuous.

C.V.NAGARJUNA REDDY, J

29th July, 2015

VGB