

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

WRIT PETITION No.36332 of 2015

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07.11.2015

Between:

Kadiyala Krishnaiah

.. Petitioner

and

The State of Andhra Pradesh,

represented by its Principal Secretary,

Panchayat Raj and Rural Development,

Hyderabad and others

.. Respondents

Counsel for the petitioner: Mr.Naga Praveen Vankayalapati

Counsel for respondent No.1: Assistant Government Pleader

for Panchayat Raj (AP)

Counsel for respondent No.2: Assistant Government Pleader

for Revenue (TS)

Counsel for respondent No.3: Mr.Golla Seshadri,

standing counsel for Gram Panchayats

Counsel for respondent No.4:--

The Court made the following:

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ORDER:

The petitioner, who feels aggrieved by the removal of public tap allegedly erected by respondent No.3 in front of his house, filed this writ petition.

At the hearing, Mr.Golla Seshadri, learned standing counsel for Gram Panchayats, appearing for respondent No.3, submitted that the petitioner has unauthorizedly erected a tap from the water pipeline passing in front of his house and that therefore, the said tap was removed.

The learned counsel for the petitioner has denied the above submission and stated that the removed tap was one of the taps that were officially erected and that due to local politics, respondent No.3 has removed the said tap.

As the dispute, which falls in the realm of the disputed question of fact, cannot be adjudicated by this Court, the petitioner is permitted to make a representation to

the District Panchayat Officer, Prakasam District. On receipt of such representation, the District Panchayat Officer shall hold an enquiry and direct restoration of the public tap, if he finds that it was officially erected before its removal in front of the petitioner's house. In a converse case, the petitioner would not be entitled to any relief.

Subject to the above directions, the Writ Petition is disposed of.

As a sequel to disposal of the writ petition, W.P.M.P.No.46793 of 2015 filed by the petitioner for interim relief shall stand disposed of as infructuous.

C.V.NAGARJUNA REDDY, J

07th November, 2015

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