

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

WRIT PETITION No.8254 of 2015

Between:

Gundla Basava Reddy,
S/o. Late Veera Reddy, Aged about 54 years,
Occ: Agriculture, R/o. Jagatpally Village,
Pochampally Mdl., Nalgonda District.

.. Petitioner

AND

The State of Telangana,
Rep. by its Principal Secretary,
Gram Panchayat,
Having office at Secretariat,
Hyderabad & 4 others

.. Respondents

DATE OF JUDGMENT PRONOUNCED: 05.08.2015

SUBMITTED FOR APPROVAL:

THE HON'BLE SRI JUSTICE P.NAVEEN RAO

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| 1 | Whether Reporters of Local newspapers may be allowed to see the Judgments? | No |
| 2 | Whether the copies of judgment may be marked to Law Reports/Journals | No |
| 3 | Whether His Lordship wish to see the fair copy of the Judgment? | No |

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HON'BLE SRI JUSTICE P.NAVEEN RAO

WRIT PETITION No.8254 of 2015

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ORDER:

The petitioner claims to be the owner and in possession of agricultural lands to an extent of Ac. 8.15 guntas in Survey Nos.398/A, 399/A, 405/A, 435/A and 436/A, situated in Juluru Village, Pochampally Mandal, Nalgonda District. His brother also owns agricultural land to an extent of Ac. 8.18 guntas in the above said survey numbers. The petitioner and his brother are cultivating the said lands. The petitioner allege in the said writ petition that the 5th respondent Gram Panchayat is laying drainage pipeline and leaving the drainage water to their agricultural land, which is abutting the village and such action is illegal. By such illegal action, the agricultural lands of the petitioner are severely affected and the drainage water is sinking into their lands, which would damage the yielding capacity of the lands.

2. The 5th respondent Gram Panchayat filed counter affidavit. According to the averments in the counter affidavit, the District Collector has sanctioned construction of underground drainage in Juluru Village. During the said construction work, while trespassing through the houses of U. Jangaiah and Gundla Lachi Reddy and adjacent to the lands of Gundla Lachi Reddy, there was a possibility of passage of drainage water into the lands. Therefore, it was proposed to

dig a pit in the adjacent Government land in Survey No.19. It is further stated that no drainage pipe was laid through the lands of the petitioner as alleged. The lands of the petitioners are in Jagatpally Revenue Village. It is further averred that on the representation of the petitioner, dated 16.03.2015, addressed to the Mandal Development Officer, Pochampally Mandal, Nalgonda District (4th respondent), the 5th respondent Gram Panchayat conducted enquiry on the said representation on 18.03.2015 in the presence of the Sarpanch and other members of the Gram Panchayat, few villagers and submitted a report to the fact that no drainage water pipeline is passing through the lands of the petitioner and the same was also informed to the petitioner and he was also explained about the ground realities. On 19.03.2015, a letter was also addressed to the petitioner informing that no drainage water is passing through his lands.

3. The said averments of the counter affidavit are not denied.

4. In view of the categorical assertion of the 5th respondent Gram Panchayat, as informed to the petitioner, it is clear that there is no drainage water being let into the lands of the petitioner and, therefore, there is no subsisting grievance warranting further orders in the writ petition.

5. The Writ Petition is, accordingly, dismissed. There shall be no order as to costs. Miscellaneous Petitions, if any, pending in this writ petition shall stand closed.

P.NAVEEN RAO, J

Date: 5th August, 2015

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HON'BLE SRI JUSTICE P.NAVEEN RAO

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Date: 5th August, 2015

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