

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

HON'BLE THE ACTING CHIEF JUSTICE DILIP B. BHOSALE

AND

HON'BLE SRI JUSTICE S.V. BHATT

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PUBLIC INTEREST LITIGATION No. 177 OF 2015

Date: 28.09.2015

Between:

B. Eswar

... Petitioner

And

The Union of India, rep., by the Member Secretary,
Ministry of Water Resources, River Development &
Ganga Rejuvenation, Krishna River Management Board,
New Delhi & others.

... Respondents

HON'BLE THE ACTING CHIEF JUSTICE DILIP B. BHOSALE

AND

HON'BLE SRI JUSTICE S.V. BHATT

PUBLIC INTEREST LITIGATION No. 177 OF 2015

PC: (per the Hon'ble the Acting Chief Justice Dilip B. Bhosale)

Heard learned counsel for the petitioner, Sri B. Narayana Reddy, Assistant Solicitor General, for respondent No.1, learned Government Pleader for Irrigation for respondent Nos.2 and 3, learned Government Pleader for Roads and Buildings for respondent Nos.4 and 5, Sri R. Vinod Reddy, learned Standing Counsel, for respondent No.6, learned Government Pleader for Revenue for respondent No.8, learned Government Pleader for Home for respondent No.9 and Sri S. Niranjan Reddy for respondent Nos.10 and 11.

The petitioner in the instant public interest litigation makes the following prayers:

“For the reasons stated above, it is therefore prayed that this Hon'ble Court may be pleased to issue a writ, order, direction more particularly one in the nature of writ of Mandamus,

- A. Declaring the action of the respondent Nos.1 to 9 failing to act upon the representations, dated 05.11.2014, as arbitrary, illegal, unconstitutional and contrary to the rule of law, and
- B. Consequently direct the respondent Nos.1 to 9 to initiate the necessary action against the 10th and 11th respondents and accordingly ensure supply of water and electricity to the agricultural fields in Poddur Village, Gadwal Mandal, Mahabubnagar District, and
- C. Pass such other order or orders as this Hon'ble Court may deem fit and proper in the circumstances of the case.”

Most of the respondents have filed counter affidavits and they support the allegations made by the petitioner against respondent Nos.10 and 11. Respondent No.8 in the counter affidavit has categorically stated that the water pumps installed by respondent Nos.10 and 11 have been removed. Similarly, Sri R. Vinod Reddy, learned Standing counsel for respondent No.6, submits that they have also taken action against respondent Nos.10 and 11, imposing a penalty for converting agriculture power connection to corporate farming

connection. We are not recording all the contentions of the parties. However, the statements made on affidavit by the official respondents are accepted.

Learned counsel for the petitioner submits that in view of the statements made on affidavit by the official respondents, the prayers in the writ petition virtually stand satisfied, and therefore, he has instructions not to press this petition further. He, however, submits that a liberty may be granted to the petitioner to file appropriate proceedings, if the circumstances so demand.

In view thereof, the public interest litigation is disposed of as not pressed with liberty as prayed. All contentions of the parties are kept open.

Miscellaneous petitions, if any, shall also stand disposed of.

DILIP B. BHOSALE, ACJ

S.V. BHATT, J

Date: 28.09.2015

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