

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

WRIT PETITION NO.12739 OF 2011

DATED:13-8-2015

Between:

Abdul Moiz Khan

... Petitioner

And

Government of Andhra Pradesh

Rep. by its Secretary

Irrigation Department

Secretariat

Hyderabad

and others

... Respondents

... Respondents

COUNSEL FOR THE PETITIONER: None appeared

COUNSEL FOR RESPONDENT NOS.1 to 3: A.G.P. for Irrigation and
C.A.D.

COUNSEL FOR RESPONDENT NO.4 : None appeared

THE COURT MADE THE FOLLOWING:

ORDER:

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This writ petition is filed for a mandamus to declare the proceedings No.SE/IC/KNL/DEEAEE.6/F.HPW(Genl) 1598M, dt.28.12.2010, of respondent No.3, in awarding the work of construction of stone masonry boundary wall along periphery of Tungabadhra River, near Nawab bungalow in Kurnool Town, to respondent No.4, as illegal and arbitrary.

At the hearing, there is no representation for the petitioner.

Learned Assistant Government Pleader for Irrigation (AP) submitted that as no interim order has been granted in this writ petition, respondent No.4 has completed the construction. In view of this submission, the cause in the writ petition does not survive for adjudication.

Hence, the writ petition is dismissed as infructuous, however, with liberty to the petitioner to avail appropriate remedy before the competent Court, if he is interested in claiming title over the area in which the wall was constructed.

As a sequel to dismissal of the writ petition, W.P.M.P. Nos.15502 and 15503 of 2011 shall stand disposed of as infructuous.

C.V. NAGARJUNA REDDY, J

13-8-2015

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