

THE HON'BLE SRI JUSTICE A.RAMALINGESWARA RAO

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WRIT PETITION No.31264 of 2015

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ORDER:

The petitioner is a Society registered under the A.P.Societies Registration Act, 2001, and claims to have been maintaining the Lift Irrigation Scheme for Konuru and Vutukuru villages. When there was a threat to the management of petitioner Society, the petitioner filed W.P. No.28041/2015 and this Court passed an order on 01.09.2015 in W.P.M.P.No.36366/2015 directing the respondents not to interfere with the management, maintenance and operation of Chandra Lift Irrigation, Koneru Village, Atchampet Mandal, Guntur District, until further orders, provided the petitioner has been managing the same as on that date. Subsequently, the fourth respondent passed an order on 26.08.2015 entrusting the management of the Lift Irrigation Scheme to the seventh respondent. Challenging the same, the petitioner filed the present writ petition.

When this writ petition was taken up for consideration, it was noticed that the fourth respondent has no jurisdiction to pass the said order and in fact, the District Collector addressed a letter to the Principal Secretary, Irrigation & CAD Department, A.P. Secretariat, Hyderabad, on 20.12.2014 pursuant to the orders of this Court in W.P. No.31689/2012 dated 06.11.2014, seeking direction for formation of Water Users' Association to the said Lift Irrigation Scheme. The Government in turn wrote a letter on 12.01.2015 to the Vice Chairman & Managing Director, APSIDC Ltd, Hyderabad, to send a detailed report to the Government for taking further action. The matter was pending there. Now the fourth respondent withdrew the orders, issued on 26.08.2015, vide proceedings dated 12.10.2015. A reading of the order dated 12.10.2015 shows that the fourth respondent was under the impression that she was appointed along with the Assistant Engineer to manage the Lift Irrigation Scheme, but in fact, it was not so as is clear from the order dated 20.12.2014 of the District Collector, Guntur.

In the above circumstances, the interim order passed on 01.09.2015 shall continue and in view of the above clarification, no further orders are necessary

in the present writ petition.

Accordingly, this Writ Petition is closed. There shall be no order as to costs.

Miscellaneous Petitions, if any, pending in this writ petition shall stand closed.

A.RAMALINGESWARA RAO, J

13.10.2015

MVA

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Date: 13.10.2015

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MVA