

**HONOURABLE SRI JUSTICE A.RAJASHEKER REDDY**

**WRIT PETITION No.11332 OF 2015**

**ORDER:**

This petition is filed for a writ of *Mandamus* declaring the action of the 2<sup>nd</sup> respondent-Corporation in proposing to change the alignment of drainage at Sy.No.999 on the Western boundary of the petitioner's plots bearing Nos.27 and 40, situated at Hanumakonda Revenue Village and Mandal, as illegal and arbitrary and consequently to direct the respondents not to change the alignment of drainage/nala.

The case of the petitioner is that he is the absolute owner of the above said property; that there is a big nala/drainage on the western boundary of his plots, which was passing through Sy.No.999/1 on one side and Sy.No.999/3 on the other side; that in view of location of drainage, the excess water flow through the said drainage, in rainy season, being spread over his plots; that to avoid stagnation of rain water, he dumped the gravel and constructed compound wall on east and south side; that the 2<sup>nd</sup> respondent made construction of 8 feet permanent drainage and excavated the mud towards west side of his plots; that the staff of the 2<sup>nd</sup> respondent in collusion with plot owners of the other side edge of the drainage trying to change the alignment of drainage, due to which approximately an extent of 150 Sq.yards will be effected; and that even though he made request to the 2<sup>nd</sup> respondent not to change the alignment of drainage, the 2<sup>nd</sup> respondent did not accede his request. Aggrieved by the same, this writ petition is filed.

Heard learned counsel for the petitioner, learned Government Pleader for Municipal Administration appearing for the 1<sup>st</sup> respondent and Smt.P.Laxmi appearing for the 2<sup>nd</sup> respondent.

The learned Standing Counsel for the 2<sup>nd</sup> respondent, on instructions,

submits that only repairs are being effected to the existing drainage/nala channel but no decision has been taken to change the alignment.

Placing the said submissions made by the learned Standing Counsel on record, this writ petition is disposed of. No order as to costs.

As a sequel thereto, miscellaneous petitions, if any, pending in the writ petition, shall stand closed.

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**A.RAJASHEKER REDDY, J**

28.04.2015

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