

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

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WRIT PETITION No.1015 of 2016

BETWEEN

Reddivari Saiprasad Reddy.

... PETITIONER

AND

The State of Andhra Pradesh, Rep. by its Principal Secretary, Revenue Department, Secretariat, Hyderabad and another.

...RESPONDENTS

DATE OF JUDGMENT PRONOUNCED: 20.01.2016

THE HON'BLE SRI JUSTICE VILAS V. AFZULPURKAR

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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 Reporters/Journals? | No |
| 3. | Whether Their Ladyship/Lordship wish to see the fair copy of the Judgment? | No |

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ORDER:

Alleging that petitioner's land admeasuring Ac.3.30 cents in Sy.No.377 of Ponnetipalem Village, Madanapalle Revenue Mandal, Chittoor, is being utilised by respondents 3 and 4 for digging canal, the present writ petition is filed on the ground that without taking appropriate recourse under law, the respondents cannot dig the canal in his land.

2. Learned Government Pleader for Revenue has received instructions from the third respondent, which specifically state that the Executive Engineer, HNSS Division-XII, Madanapalle has submitted a requisition to acquire an extent of Ac.39.68 cents for Punganur Branch Canal. However, Sy.No.377, which is claimed by the petitioner, is not figured in the request given by the Executive Engineer and on the contrary, land in Sy.No.378, which is adjacent to the petitioner's land, is stated to have been acquired under Award No.13A/2015 dated 22.08.2015. So far as petitioner is concerned, it is stated that the land in Sy.No.377 stands in the name of Smt. S. Narasamma W/o. Sirivelu and the petitioner, who claims to have purchased the said land, has applied for pattadar pass books and the same is under enquiry.

3. In view of the aforesaid instructions, it is apparent that the present writ petition is filed merely on an apprehension, though the land of the petitioner is not subjected to any such digging of canal, as alleged.

The writ petition is dismissed. As a sequel, the miscellaneous applications, if any, shall stand closed. There shall be no order as to costs.

VILAS V. AFZULPURKAR, J

January 20, 2016
DSK