

HON'BLE THE ACTING CHIEF JUSTICE RAMESH RANGANATHAN

AND

HON'BLE SRI JUSTICE A. SHANKAR NARAYANA

WRIT APPEAL No.1230 OF 2016

JUDGMENT: (Per Hon'ble The Acting Chief Justice Ramesh Ranganathan)

This appeal, under Clause 15 of the Letters Patent, is preferred against the order passed by the learned Single Judge directing the respondents to dispose of the petitioner's representation dated 20.05.2016 in accordance with law preferably within a period of one (1) month from the date of receipt of a copy of the order.

The complaint in the writ petition was regarding the inaction of respondent Nos.2 to 6 in not taking steps to remove the encroachments made in the Paddaraju Canal, Pithapuram, East Godavari District which has resulted in water not reaching the petitioner's land, as arbitrary and illegal.

The learned Government Pleader for Irrigation, on instructions, submits that there are some encroachments in the canal; and the officials of the Irrigation Department, along with the revenue officials, would take necessary action to remove the encroachments, after putting the encroachers on notice, in accordance with law.

We considered it appropriate, in such circumstances, to direct the respondents herein to take necessary action, in accordance with law, to remove the encroachments in the subject canal. Needless to state that, before any action is taken to remove the encroachments, the encroachers shall be put on notice and be

given an opportunity of being heard. The entire exercise, culminating in action being taken by the respondents, shall be completed within a period of two (2) months from the date of receipt of a copy of this order.

The order under appeal is modified and the Writ Appeal is accordingly disposed of. No costs. As a sequel thereto, Miscellaneous Applications, if any, pending in the appeal stand disposed.

RAMESH RANGANATHAN, ACJ

A. SHANKAR NARAYANA, J

November 17, 2016.
PV/Mgr

