

The Hon'ble Sri Justice C.V.Nagarjuna Reddy

Writ Petition No.1342 of 2016

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Date: 19.01.2016

Between:

Reddy Agro Products Pvt. Ltd.,
rep. by its Managing Director
Sabbella Kasi Eswara Reddy

.. Petitioner

and

The State of Andhra Pradesh
rep. by its Prl.Secretary
Panchayat Raj Dept.,
Hyderabad and 5 others.

.. Respondents

Counsel for the petitioner : Mr.Siva Bhami Reddy.S.

Counsel for the respondents: AGP for Panchayat Raj (AP)

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The Court made the following:

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Order:

The proposed construction of a culvert over a public road vested in the Panchayat Raj Department is questioned in this Writ Petition.

On the petitioner's own showing, the place, over which the culvert is proposed to be constructed, is vested in the Panchayat Raj Department. Therefore, the petitioner is not entitled to question the wisdom of the respondents in constructing the culvert. However, the petitioner apprehends that if such culvert, which is, allegedly, not part of the sanctioned estimate, is constructed, the drain water will affect its property wherein a rice mill is constructed.

In my opinion, the proposed culvert cannot be interdicted based on mere apprehension of the petitioner. If the construction of culvert, in any manner, affects the property of the petitioner, it is entitled to avail the legal remedies available to it in common law for appropriate reliefs against the respondents.

Subject to the liberty given to the petitioner as above, the Writ Petition is dismissed.

As a sequel to dismissal of the Writ Petition,
WPMP.No.1691 of 2016, filed by the petitioner for
interim relief, is disposed of as infructuous.

(C.V.Nagarjuna Reddy, J)

Dt: 19th January, 2016
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