

THE HON'BLE SRI JUSTICE S.V. BHATT

WRIT PETITION No.26435 of 2015

ORDER:

Heard Mr. Sanjeev for petitioner and Mr. Subba Rao for respondent No.7, Government Pleader for Irrigation and Assistant Government Pleaders for Revenue and Home.

Petitioner prays for the following relief:

“For the reasons stated in the accompanying affidavit, it is prayed that this Hon’ble Court may be pleased to issue a direction, order or writ more particularly one in the nature of Writ of Mandamus declaring the action of the Respondents herein, in interfering with the management, maintenance and operation of the Grandhasiri Lift Irrigation Scheme constructed on river Krishna, Amabadipudi Village, Atchampet Mandal, Guntur District, by the Petitioner Society, without issuing any notice and passing any order in that regard, as arbitrary, illegal, in flagrant violation of principles of natural justice, without jurisdiction, contrary to A.P. Societies Registration Act, 2001 and consequently direct the Respondents herein not to interfere with the management, maintenance and operation of the Grandhasiri Lift Irrigation Scheme constructed on river Krishna, Amabadipudi Village, Atchampet Mandal, Guntur District, by the Petitioner Society, and pass such other order or orders as this Hon’ble Court may deem fit and proper in the circumstances of the case.”

Learned counsel for petitioner submits that communication dated 10.08.2015 is challenged by filing this Writ Petition under Article 226 to prevent the persons from interfering with the management of petitioner Sangam pursuant to the steps taken by third respondent. He fairly submits that the factual dispute between the petitioner and the opposing group in the Sangam is required to be examined and decided by the District Collector, Guntur. He draws the attention of the Court to orders of this Court in Writ Petition Nos.44716 and 38825 of 2016.

Mr. Subba Rao submits that the seventh respondent does not have objection if the pending issues of petitioner Sangam are looked into, and decided by the District Collector and functioning of petitioner Sangam is effectively carried out.

In view of the limited submissions made by learned counsel, I am not referring to the pleadings of either petitioner or contesting respondents. Since I propose to direct the District Collector, Guntur, to look into the management and affairs of petitioner Sangam, I deem it appropriate to *suo motu* implead the District Collector, Guntur, as eighth respondent. The eighth respondent is directed to issue notice to petitioner as well as seventh respondent in the enquiry conducted into the management and affairs of petitioner Sangam, within two weeks

from the date of receipt of a copy of this order. Thereafter, the persons, to whom the notices are addressed, are given three more weeks time to file their explanation and the eighth respondent is directed to pass final orders within three weeks thereafter. For a period of eight weeks, parties are directed to maintain status quo in all respects as on date.

Writ Petition is disposed of.

Pending miscellaneous petitions, if any, shall stand closed.

No order as to costs.

27th DECEMBER, 2016.

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S.V. BHATT, J

