

HON'BLE THE ACTING CHIEF JUSTICE DILIP B. BHOSALE
AND
HON'BLE SRI JUSTICE P. NAVEEN RAO

PIL No. 346 OF 2015

08-03-2016

Between:

Mekala Gangadhar and another

... Petitioners

And

The State of Andhra Pradesh, rep., by its Principal Secretary, Irrigation
CADA Water and Resource Department, Secretariat Buildings,
Hyderabad and others

... Respondents

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HON'BLE THE ACTING CHIEF JUSTICE DILIP B. BHOSALE
AND
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PIL No. 346 OF 2015

PC: (per the Hon'ble the Acting Chief Justice Dilip B. Bhosale)

Heard learned counsel for the parties.

In the instant public interest litigation (PIL), the petitioners seek the following relief:

“For the reasons stated in the accompanying affidavit, the Petitioner herein humbly prays that this Hon'ble Court may be pleased to issue a writ, orders or directions, preferably in the nature of writ of Mandamus, declaring the action, deeds and things of the Respondents in not constructing Gundalaru Tank near Indhiranagar H/o Balireddypalli village of Obulavaripalli Mandal, Y.S.R. Kadapa District is illegal, arbitrary, violative of principles of Natural Justice and against the rights guaranteed by the Constitution of India and may pass such other order or orders as this Hon'ble Court deems fit and proper in the circumstances of case.”

In response to the queries made by the Court, the Sri SK.MD. Sabjan, son of SK. Khader Basha, the Chief Engineer, Minor Irrigation, Erramanjil has filed undertaking dated 03-03-2016, which reads thus:

“With reference to the above Public Interest Litigation P I L No.346 of 2015, as per the directions of this Hon'ble court, I hereby under take to state that to clear the land acquisition to an extent of 6 Acres of land for the work of “Formation of New Tank across Gundaleru near Indiranagar (V), H/o. Balireddypalli (V) of Obulavaripalli (M), Y.S.R Kadapa District”, will take a minimum period of 6 months and after clearance of land acquisition, the tender process will take at least 2 months i.e., by the end of December/2016 and the

agency may be fixed to execute the work. Hence, the possibility of execution and commencement of work will be taken up during January, 2017 with a completion period of 18 months.

I hereby undertake to state that the above subject project work may be completed in all respects by 30.06.2018.”

The undertaking given by the Chief Engineer on behalf of the department is accepted. We direct the concerned department and the succeeding Chief Engineers to see that the undertaking given to the Court is scrupulously followed and complied with, within the time frame, as stated in the undertaking. It is needless to mention that SK.MD. Sabjan at the time of his retirement or transfer, as the case may be, shall bring this order to the notice of his successor.

In view thereof, learned counsel for the petitioner prays for disposal of the PIL.

PIL is disposed of in terms of this order.

Miscellaneous petitions, if any, also stand disposed of.

DILIP B. BHOSALE, ACJ

P. NAVEEN RAO, J

08-03-2016
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