

THE HON'BLE SRI JUSTICE C. PRAVEEN KUMAR

WRIT PETITION No.14745 OF 2005

ORDER:

The present Writ Petition, under Article 226 of the Constitution of India, came to be filed with the following prayer:

“..to issue a Writ, order or direction, especially one in the nature of Writ of Mandamus, declaring the action of the respondents 1 to 4 in changing the original alignment of the MAIN RIGHT CANAL of Indira Sagar Project (Polavaram Project) in so far as it passes *from 14.80 KM to 26.01 KM i.e., from Guddigudem, Bhimolu and Vellachinthlagudem* and the action of the respondents 1 to 4 in conducting survey and planting stones without issuing notification under Sec.4(1) of the Land Acquisition Act, as illegal and void and consequently direct the respondents 1 to 4 to desist from aligning the Phase-II of MAIN RIGHT CANAL of Indira Sagar Project in deviation from the plan prepared in the year 1983.”

2. The main grievance of the petitioners is that the respondents are trying to divert the main right canal from Polavaram to Vijayawada.

3. Learned Government Pleader for Revenue would submit that respondents have conducted several meetings with land owners involved in the land acquisition and enjoyment survey was also conducted in Guddigudem Village and new alignment was fixed purely based on the guidelines of the Chief Engineer, Central Designs Organisation. He further submits that the main right canal has already been laid as per the plan.

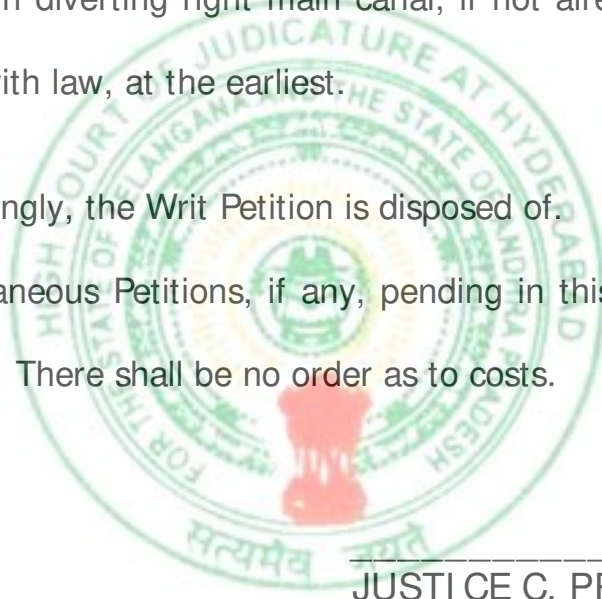
4. A perusal of the record would show that by an order dated 08.07.2005, this Court while issuing *rule nisi*, granted interim direction

to the respondents to dispose of the representation dated 03.06.2005 made by the petitioners, which was received by the respondents on 11.06.2005, after giving an opportunity to the petitioners and pass orders within a period of eight (08) weeks from the date of receipt of a copy of the order.

6. Be that as it may, having regard to the interim order passed, the respondent authorities shall consider the representation, dated 03.06.2005, made by the petitioners questioning the action of the respondents in diverting right main canal, if not already considered, in accordance with law, at the earliest.

7. Accordingly, the Writ Petition is disposed of.

Miscellaneous Petitions, if any, pending in this writ petition shall stand closed. There shall be no order as to costs.



JUSTICE C. PRAVEEN KUMAR

Date:03.08.2017
INL