

HON'BLE SRI JUSTICE A. RAMALINGESWARA RAO

Writ Petition No. 28306 of 2017

Order:

Heard learned counsel for the petitioner.

The petitioner states that he is having agricultural lands of an extent of Ac.2.88 cents in Survey No.103/2 and Ac.2.12 cents in Survey No.96/2 of Konijerla village, Lingapalem Mandal, West Godavari District. The lands were in the name of his wife. It is stated that they are eking out their livelihood by cultivating the said lands. There is a flood drain canal passing through the site of their lands and the said canal is protecting their lands from flood water. It is stated that the fourth respondent Grampanchayat started construction of a dumping yard for the purpose of keeping the garbage in the village by closing the road-cum-drain towards southern side of their agricultural land. In that connection, they submitted a representation to the third respondent on 01.08.2017 and, when no steps are taken by the third respondent and, on the other hand, the fourth respondent is proceeding with the work, the present Writ Petition is filed.

Since the dispute involves verification of facts at the local level, this Court feels it necessary to dispose of the Writ Petition by directing the third respondent to inspect the site and take necessary action in accordance with law within a period of one week from the date of receipt of a copy of this order. It is needless to observe that if the canal is covered, in the meanwhile, the same shall be restored by passing appropriate orders.

The Writ Petition is, accordingly, disposed of. There shall be no order as to costs.

As a sequel thereto, the miscellaneous petitions pending in this Writ Petition, if any, shall stand closed.

A. RAMALINGESWARA RAO, J

Date: 23.08.2017
Nsr

