

**THE HON'BLE SRI JUSTICE A.V.SESHA SAI**

**WRIT PETITION No.10827 of 2018**

**ORDER:**

Heard learned counsel for the petitioners, learned Government Pleader for Revenue and the learned Government Pleader for Irrigation & CAD.

When the matter is taken up, a letter bearing Roc.No.418/2018/B, dated 04.04.2018, addressed by the Tahsildar, Bhimavaram-third respondent herein to the office of the learned Government Pleader, is placed on record by the learned Government Pleader. The contents of the said letter, to the extent of their relevance in the present Writ Petition, read as under:

*"I further submit that the R.S.No.44 of Rayalam Village of Bhimavaram Mandal, West Godavari District is classified in accounts as "kaluva" poramboke which is vested to the Irrigation Department. Some of the villagers of Rayalam have collectively occupied nearly an extent of Ac.0.05 cents, out of an extent of Ac.2.08 cents in R.S.No.44 and constructed religious building unauthorisedly and illegally without obtaining any permission from the Irrigation Department. The Assistant Engineer, Irrigation, Yendagandi Section along with staff have inspected the site and noticed that, it is an Irrigation-cum-Drainage field bodhi which is passing through the RS.No.44 of Rayalam village of Bhimavaram Mandal. On that situation the Irrigation (Water Resources) Department has warn them to stop the construction and evict the place.*

*In this connection, the Irrigation Department was made efforts to stop the encroachment with the help of concerned VRO, Panchayat Secretary and the President, Water Users Association, China-Amiram, as such so many villagers are involved in this issue. Even though, the Irrigation Department has prepared a general notice and the same is published at the schedule site. Whenever the staff going to the said site, the encroachers are vanishing from that place and the villagers i.e. encroachers are wilfully constructing in the odd hours. However, the Assistant Engineer, Irrigation Department has published the notice under Section 7 of A.P.Land Encroachment Act III of 1905 at the schedule site”.*

Accordingly, the Writ Petition is disposed of, by placing on record the contents of the above letter, directing the respondents to take appropriate action, strictly in accordance with law. There shall be no order as to costs.

As a sequel thereto, miscellaneous petitions, if any, pending in the writ petition, shall stand closed.

12<sup>th</sup> April, 2018  
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**A.V.SESHA SAI,J**