

THE HON'BLE SRI JUSTICE P.NAVEEN RAO

WRIT PETITION NO.40201 OF 2018

Dated 9th November 2018

Between:

1. Pothireddy Naga Subba Reddy, S/o.Gangi Reddy and one other.

...Petitioners

And

1. The State of Andhra Pradesh, Rural Water Supply and Sanitation Department, Secretariat, Velagapudi, Amaravathi, Guntur District, Rep.by its Principal Secretary and four others.

...Respondents

The Court made the following:



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ORDER:

The first petitioner claims to be the owner of plot No.2 in layout Nos.301, 302 and 308 of Survey No.5 situated at Isakapalam Village, Buchireddypalem Mandal, SPSR Nellore District. Petitioners allege that the Rural Water Supply and Sanitation Department and the Gram Panchayat are undertaking construction of drinking water tank on the road abutting the plot owned by the first petitioner.

2. Learned counsel for the petitioners contend that construction of water tank abutting to the plot owned by the first petitioner would cause lot of inconvenience to the first petitioner for undertaking house construction in the said plot and may have safety concern to his property. He would further submit that on the road the water tank is sought to be constructed could be obstructing the passage and smooth flow of traffic and water tank cannot be constructed on the public road.

3. For making such assertion, no material is placed on record to show exactly where the water tank is being constructed.

4. Having regard to the same, the Writ Petition is disposed of granting liberty to the petitioners to make a detailed representation to the Superintendent Engineer, Rural Water Supply and Sanitation Department and the Gram Panchayat, Isakapalam Gram Panchayat pointing out the two inconveniences contended herein. On submission of such representation, the Panchayat Secretary shall verify whether the water tank is being constructed abutting the property belonging to the petitioners and whether it is

not permissible to make such construction and whether such construction is proposed on a road as per the approved layout and communicate his decision within two (2) weeks from the date of representation. There shall be no order as to costs. Miscellaneous petitions, if any, pending shall stand closed.

(P.NAVEEN RAO, J)

9th November 2018
RRB

