

THE HON'BLE SRI JUSTICE CHALLA KODANDA RAM

WRIT PETITION No. 7420 2019

ORDER:

Petitioner asserts that she is the owner of open plot in survey No.338 (new Survey No.194) of Waddepally Taluq, Warangal District; that in the locality, there exists open sewerage and drainage in front of the property abutting 12' road on the western side of the property. The grievance of the petitioner is that the respondent authorities dug an open sewerage line through his property on the northern side without issuing any notice. Hence, this writ petition.

The sum and substance of the allegation of the petitioner is that the respondent authorities are trying to dig and construct a cement concrete drain towards the northern side of his plot.

Today, learned Standing Counsel placed before this Court the written instructions received from the respondent and the relevant portion of the same reads as under:

“In this regard, it is to submit that the concerned engineering officers of this Corporation have verified the subject site and it is observed that, there is already drainage has been existing towards northern side of the alleged land of the petitioner, on enquiry with the locality people, they stated that it was constructed about 15 years back, presently this Corporation has not taken up any construction work towards northern side of the alleged property of the petitioner. Further, it is to submit that towards the western side of the said property, there is a CC road has been existing, and along with the said CC road, a kacha drain passing, presently this Corporation has taken up the construction of CC drain in the place of kacha drain towards

western side of the alleged property of the petitioner but not towards the northern side as alleged by the petitioner.”

From the above, it is clear that the respondent authorities are not undertaking any new drainage work. Therefore, in the facts of the present case, it is open to the petitioner to initiate appropriate proceedings and obtain injunctory relief against the persons, who are undertaking drainage work in her plot.

Granting liberty as above, the writ petition is disposed of.

Miscellaneous applications, if any pending, in the Writ Petition shall also stand disposed of. No costs.

Dt:12.04.2019
kdl

CHALLA KODANDA RAM, J



