

THE HON'BLE SRI JUSTICE CHALLA KODANDA RAM

WRIT PETITION No. 19964 OF 2019

ORDER :

This Writ Petition is filed seeking a *mandamus* to declare the inaction of the respondent authorities on the 7th respondent who is illegally encroaching “Janammakunta” in Survey Nos. 189, 190, 191 and 193 situated at Nagavaram Village (Nagavaram Thanda), Wanaparthi Mandal & District by way of dumping the gravel and thereby making attempts to close the said government kunta, in spite of the written representations dated 20.08.2019 and 21.08.2019, as illegal and arbitrary.

Heard learned counsel for the petitioner.

Learned Government Pleader for Irrigation, on instructions from the 4th respondent - Executive Engineer, submits that the land of the 7th respondent being adjacent to Janammakunta, taking advantage of the same, he is filling up the tank.

In view of the said submission of the learned Government Pleader, Respondents 5 and 6 shall forthwith take necessary steps to ensure no encroachment is made by the 7th respondent or anyone claiming through him, into Janammakunta water body as it is their primary duty to see to it that no water body is encroached. Even if it is covered up, Respondents 5 and 6 shall take immediate necessary steps to restore the said water body, in view of the judgment of the Supreme Court in ***Jagpal Singh v. State of Punjab***¹.

The Writ Petition is disposed of with the above-said directions. No costs.

¹ (2011) 11 SCC 396

Consequently, the miscellaneous Applications, if any shall stand closed.

CHALLA KODANDA RAM, J

20th November 2019

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