APHC010586792026

IN THE HIGH COURT OF ANDHRA PRADESH
AT AMARAVATI [3327]
(Special Original Jurisdiction)

TUESDAY, THE 10th DAY OF NOVEMBER 2026

PRESENT

THE HONOURABLE SRI JUSTICE K SREENIVASA REDDY

WRIT PETITION NO: 32155/2026

Between:

1. C. MADHUSUDHAN RAO,, S/O. C. VENKATADRI NAIDU, AGE 47 YEARS, AGRICULTURIST, R/O. KONATHANER VILLAGE, THOTTAMBEDU MANDAL, TIRUPATI DISTRICT, ANDHRA PRADESH - 517102.

...PETITIONER

AND

1. THE STATE OF ANDHRA PRADESH, REP. BY ITS PRINCIPAL SECRETARY, WATER RESOURCES (IRRIGATION) DEPARTMENT, SECRETARIAT, VELAGAPUDI, GUNTUR DISTRICT-522237.
2. THE COLLECTOR AND DISTRICT MAGISTRATE, TIRUPATI DISTRICT, TIRUPATI-517503.
3. THE SUPERINTENDING ENGINEER AND DWRO, TGP AND GNSS CIRCLE, TIRUPATI, TIRUPATI DISTRICT-517507.
4. THE EXECUTIVE ENGINEER, IRRIGATION DIVISION, SRIKALAHASTI, TIRUPATI DISTRICT-517644.
5. THE DEPUTY EXECUTIVE ENGINEER/ASSISTANT EXECUTIVE ENGINEER, IRRIGATION SUB-DIVISION, THOTTAMBEDU, TIRUPATI DISTRICT-517640.

...RESPONDENT(S):

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the affidavit filed therewith, the High Court may be pleased toissue an order, writ or direction, more particularly one in the nature of Writ of Mandamus declaring the action of the respondents in the respondents in NOT executing the work no.155 In the said approved list, at SI.No.155 in Thottambedu Mandal for FDR Temporary Restoration of DiguvaKonathaneri Tank near DiguvaKonathaneri Village in Thottannbedu Mandal of Tirupati District - Amount Rs.7.30 Lakhs is specifically sanctioned, which was sanctioned by the 2nd Respondent - Collector and District Magistrate, Tirupati, Dr. S. Venkateswar, I.A.S., vide Proceedings No SE/TGP and GNSS.C/TPT/T.W/DEE/AEE-3/FDR Dt 23-11-2025 accorded Administrative Approval for 355 FDR Temporary Restoration Works for Rs.1515.05 Lakhs. basing on the 3rd respondent submitted damage list and to declare the same as illegal, arbitrary and in violation of Article 14 of the Constitution of India in respect of execution of afore mentioned works forthwith

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Petition under Section 151 CPC praying that in the circumstances stated in the affidavit filed in support of the petition, the High Court may be pleased direct the respondents to take steps for executing the work No.155 which was In the said approved list, Thottambedu Mandal FDR Temporary Restoration of DiguvaKonathaneri Tank near DiguvaKonathaneri Village in Thottambedu Mandal of Tirupati District - Amount Rs.7.30 Lakhs is specifically sanctioned which was sanctioned by the 2nd Respondent - Collector and District Magistrate, Tirupati, Dr. S. Venkateswar, I.A.S., vide Proceedings No:SE/TGP&GNSS.C/TPT/T.W/DEE/AEE-3/FDR Dt:23-11-2025 accorded Administrative Approval for 355 FDR Temporary Restoration Works for Rs.1515.05 Lakhs. Basing on the 3rd respondent submitted damage list, pending disposal of the Writ Petition

Counsel for the Petitioner:

1. R CHANDRA REDDY

Counsel for the Respondent(S):

1. GP FOR IRRI AND CAD

The Court made the following:

THE HONOURABLE SRI JUSTICE K.SREENIVASA REDDY

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ORDER:

ThisWrit Petition, under Article 226 of the Constitution of India, is filed challenging the action of the respondents in not executing/completing the FDR works relating to Temporary Restoration of DiguvaKonathaneri Tank near DiguvaKonathaneri Village, Thottambedu Mandal, Tirupati District, at Sl.No.155 of the approved list of the administrative approval allotting Rs.7.30 lakhs for the specific purpose, by 2nd respondent-District Collector, along with other works, vide administrative sanction No.SE/TGP&GNSS.C/TPT/T.W/DEE/AEE-3/FDR, dated 23.11.2025, as illegal and arbitrary.

2. It is averred by the petitioner that he is a small farmer having agricultural lands under the ayacut of DiguvaKonathaneri Tank near DiguvaKonathaneri Village, Thottambedu Mandal, Tirupati District; that during October, 2025, ‘Month Cyclone’ caused heavy floods and extensive damages to the minor irrigation tanks in Tirupati district;

that 3rd respondent submitted damage list dated 07.11.2025 and 4threspondent submitted detailed estimate on the same, and 2nd respondent, vide proceedings No.SE/TGP&GNSS.C/TPT/T.W/DEE/AEE-3/FDR, dated 23.11.2025 accorded Administrative Approval for 355 FDR Temporary Restoration Works for Rs.1515.05 Lakhs. It is further averred that 2nd respondent-District Collector accorded administrative approval and allotted Rs.7.30 lakhs for a specific purpose under Disaster Management, which is claimed to be a statutory duty on part of respondent Nos. 3 to 5-authorities under the Disaster Management Act, 2005 and the AP Water Resources Department Manual to complete the FDR works relating to Temporary Restoration of DiguvaKonathaneri Tank at Sl.No.155 within 30-45 days and that non-completion of the said work within 9 months defeats the very purpose and violates the Fundamental Right of the petitioner. Hence, the Writ Petition.

3. Learned Government Pleader for Irrigation produced the written instructions vide Lr.No.EE/IDSKHT/AEE(T)/Court Case/1063M, dated 09.11.2026, received from the Executive Engineer, Irrigation Division, Srikalahasti, stating that the work “FDR

Temporary Restoration of DiguvaKonathaneri Tank near DiguvaKonathaneri Village in Thottambedu Mandal of Tirupati District" was sanctioned by the District Collector, Tirupati for an amount of Rs.7.30 lakhs, and that the tender for the work was invited vide Tender Notice No.15/202-2026, dated 16.03.2026 (Item No.6) with a provision to restore the irrigation channel of DiguvaKonathaneri Tank. It is further stated that the President of Water Users' Association and the Members of the DiguvaKonathaneri Tank requested to take up restoration of the tank bund, and it is venerable and it needs restoration.

It is further submitted that the water is being supplied to the ayacut without restoration of the channel and for the said reason and basing on the representation made by the President of the Water Users' Association, the tender was cancelled. Thereafter, the Government instructed to entrust the works costing up to Rs.10.00lakhs to the Water Users' Association, and to that effect, the said work was entrusted to the President of the Water Users' Association vide Agreement No.411DN/2026-27, dated 12.10.2026.

4. As per the written instructions dated 09.11.2026 furnished by the learned Assistant Government Pleader for Irrigation, the subject

Tank was filled with water supplied from the Telugu Ganga Canal and as there is water in the said tank, the work is not taken-up and the work will be taken up after the water level is receded.

5. Having regard to the submissions made by the learned Assistant Government Pleader and by placing the written instructions on record, the Writ Petition is disposed of. There shall be no order as to costs of theWrit Petition.

As a sequel, interlocutory applications pending if any, shall stand closed.

K.SREENIVASA REDDY, J

Date: 10.11.2026.
DRNR

THE HONOURABLE SRI JUSTICE K.SREENIVASA REDDY

WRIT PETITION NO.32155/2026

DATE: 10.11.2026

DRNR