

**IN THE HIGH COURT OF ANDHRA PRADESH AT AMARAVATI
(SPECIAL ORIGINAL JURISDICTION)**

FRIDAY, THE THIRD DAY OF MARCH,
TWO THOUSAND AND TWENTY THREE

:PRESENT:

THE HONOURABLE SRI JUSTICE NINALA JAYASURYA



WRIT PETITION NO: 3828 OF 2023

Between:

Kaviti Dharma Rao, S/o. K. Balusaka, aged about 57 years, Occ. Cultivation,
R/o. Narendrapuram Village, Narendrapuram Panchayath, Nandigam Mandal,
Tekkali Revenue Division, Srikakulam District, Andhra Pradesh.

...Petitioner

AND

1. The State of Andhra Pradesh, Rep. by. Its Principal Secretary, Revenue Department, Secretariat Buildings, Velagapudi, Amaravathi, Guntur District, Andhra Pradesh.
2. The State of Andhra Pradesh, Rep. by. Its Principal Secretary, Panchayath Raj Department, Secretariat Buildings, Velagapudi, Amaravathi, Guntur District, Andhra Pradesh.
3. The District Collector, Srikakulam District at Srikakulam.
4. The Sub-Collector/Revenue Divisional Officer, Tekkali, Srikakulam District, Andhra Pradesh.
5. The Tahsildar, Nandigam Mandal, Srikakulam District.
6. The Narendrapuram Gram Panchayath, Rep. by its Panchayath Secretary, Narendrapuram Village, Nandigam Mandal, Srikakulam District, Andhra Pradesh
7. Karri Meenakshi, W/o. Late K. Ramarao, Aged about 54 years, Occ. Housewife, R/o. Kanithipuram Village, Kanitipuram Post, Nandigam Mandal, Srikakulam District.
8. Kaviti Ramu, S/o. Lakshmi Narayana, Aged about 56 years, Occ. Cultivation, R/o. Kanithipuram Village, Kanitipuram Post, Nandigam Mandal, Srikakulam District.

...Respondents

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 to issue a writ or order or orders or direction more particularly one in the nature of Writ of Mandamus and to declare the action of the respondents in not taking action for protection of property i.e., Water Tank (Water Bodies) situated in Sy. No. 105/1 to an extent of Ac. 0.39 Cents, Sy. / No. 105/2 to an extent of Ac. 6.10 Cents, Sy. NO. 118/1 to an extent of Ac. 1.95 Cents, Sy. No. 118/2 to an extent of Ac. 6.03 cents total an extent of Ac. 14.47 Cents Narendrapuram Revenue Village, Nandigam Mandal, Srikakulam District by following procedure under G.O.Ms.No.188, Panchayath Raj and Rural Development Department, dated 21.07.2011 and consequently direct the respondents No. 1 to 6 to take action for protection of the above said water body by following procedure under G.O.Ms. No. 188, Panchayath Raj and Rural Development Department, dated 21.07.2011 and other procedure contemplated under the law.

IA NO: 1 OF 2023

Petition under Section 151 CPC praying that in the circumstances stated in the affidavit filed in support of the writ petition, the High Court may be pleased to direct the respondents No. 1 to 6 to take action against the respondent No. 7 and 8 protection of property i.e., Water Tank (Water Bodies) situated in Sy. No. 105/1 to an extent of Ac. 0.39 Cents, Sy./ No. 105/2 to an extent of Ac. 6.10 Cents, Sy. No.118/1 to an extent of Ac. 1.95 Cents, Sy. No. 118/2 to an extent of Ac. 6.03 cents total an extent of Ac. 14.47 Cents Narendrapuram Revenue Village, Nandigam Mandal, Srikakulam District by following procedure under G.O.Ms. No. 188, Panchayath Raj and Rural Development Department, dated 21.07.2011 by considering the representation dated 12.07.2021 and 05.07.2021, pending disposal of WP 3828 of 2023, on the file of the High Court.

The petition coming on for hearing, upon perusing the Petition and the memorandum of grounds filed in support thereof and the order of the High Court dated 16.02.2023 made herein and upon hearing the arguments of Sri Dasari S V V S V Prasad, Advocate for the Petitioner, GP for Revenue for Respondent Nos.1 & 3 to 5, GP for Panchayat Raj for Respondent No.2, Sri N.Srihari, Standing Counsel for Respondent No.6, the Court made the following

ORDER:

"It is stated by Mr.S.Sreenivasa Rao, learned counsel that he received instructions to appear on behalf of the respondents 7 & 8.

At his request, list this case, after two (2) weeks for filing Counter Affidavit.

The other respondents may also file their Counter Affidavits by the next date of adjournment.

Interim orders granted on the earlier occasion are extended by four (4) weeks."

Sd/-
Sd/- T. MADHAVI
ASSISTANT REGISTRAR

//TRUE COPY//

SECTION OFFICER

For

To,

1. One CC to Sri. Dasari S V V S V Prasad, Advocate [OPUC]
2. One CC to Sri N. Sri Hari, Standing Counsel [OPUC]
3. Two CCs to GP for Revenue, High Court of Andhra Pradesh. [OUT]
4. Two CCs to GP for Panchayat Raj, High Court of Andhra Pradesh. [OUT]
5. One spare copy.

MM

HIGH COURT

NJS,J

DATED: 03/03/2023

ORDER

NOTE: LIST THIS CASE AFTER TWO WEEKS FOR FILING COUTNER
AFFIDAVIT

WP.No.3828 of 2023

STATUS QUO

