

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

THURSDAY, THE TWENTY SEVENTH DAY OF AUGUST,
TWO THOUSAND AND TWENTY

: PRESENT:

THE HONOURABLE SRI JUSTICE G.SHYAM PRASAD

WRIT PETITION NOS: 9993, & 9981 OF 2020



WRIT PETITION NO: 9993 OF 2020

Between:

1. Vangala Sreenivasa Reddy, S/o. Late V. Konda Reddy.
2. Shaik Hajee Sandhani, S/o Shaik Hajee Peeran Saheb.
3. Murali Satya Venkata Krishna Siva Rama Prasad, S/o. Late Murari Srihari Rao.
4. M.Jaganmohan Reddy, S/o Rama Chandra Reddy.

Petitioners

AND

1. The State of Andhra Pradesh, Represented by its Special Chief Secretary, Water Resources Department, Secretariat, Velagapudi, Amaravati, Guntur District, A.P.
2. The Engineer-in-Chief (Administration), Water Resources Department, Vijayawada, A.P. (Convenor)
3. Special Commissioner Command Area Development Authority, Andhra Pradesh, Vijayawada.
4. Director Ground Water and Water audit department, Andhra Pradesh, Vijayawada.
5. Additional Secretary/Joint Secretary to Government, Water Resources (Ser I) Dept. A.P. Secretariat, Velagapudi, Amaravathi, Guntur District, A.P.
6. Screening Committee, represented by its Chairman, Special Commissioner, Command Area Development Authority, Andhra Pradesh, Vijayawada, A.P.

...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, order or direction more particularly one in the nature of Writ of **Mandamus** declaring the action of the 1st Respondent in reconstituting the Screening Committee vide G.O. Rt. No. 282, Water Resources (Services-1) Department dated 3.6.2020 as illegal, arbitrary, unconstitutional and contrary to G.O.Ms.No.230 GAD (Ser D) Department dt.22-05-1999 and G.O.Ms.No.275 GAD (Ser D) Department dt.21-06-1999 and orders in W.P.No.9215/2020 dated 28.5.2020 and set aside the same and consequently declare that any action taken or any proceedings issued by the Respondents pursuant to the reconstitution of the screening committee is null and void.

IA NO: 1 OF 2020

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 to stay all further proceedings issued in pursuance of G.O. Rt. No. 282, Water Resources (Services-I) Department dated 3.6.2020 issued by Respondents, pending disposal of WP 9993 of 2020, on the file of the High Court.

The petition coming on for hearing, upon perusing the Petition and the affidavit filed in support thereof and orders of the High Court dated 17-06-2020, 23-06-2020 & 29-07-2020 and upon hearing the arguments of Smt. A Chaya Devi, Advocate for the Petitioners and Sri Bhimarao, learned Government Pleader for Services – III for Respondents, the Court made the following.

WRIT PETITION NO: 9981 OF 2020

Between:

1. M.Venkataramana Reddy, S/o. Late M.Nagi Reddy, aged about 57 years, Working as Deputy Superintending Engineer in Irrigation Circle, Nellore, Nellore District, Andhra Pradesh.

2. A.Venkataramaiah, S/o. A.Govindaiah, aged about 57 years, Working as Executive Engineer in S.S.L.C.Division 4, Gudur, Nellore district, Andhra Pradesh.

...Petitioners

AND

1. The State of Andhra Pradesh, Represented by its Special Chief Secretary, Water Resources Department, Secretariat, Velagapudi, Amaravati, Guntur District, Andhra Pradesh.
2. The Engineer-in-Chief (Administration), Water Resources Department, Vijayawada, Andhra Pradesh.

...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, order or direction more particularly one in the nature of Writ of Mandamus declaring the action of the Respondents in issuing proceeding No. RC/ENC(Admn.)/C1/C2/9978699/ 2020/Z-1 to 6 Dt.10-06-2020 and consequential rectified proceeding No. RC/ENC(Admn.)/C1/C2/9978699/ 2020/Z-1 to 6 Dt.11-06-2020 as illegal, arbitrary, unconstitutional and in violation of principles of natural justice and liable to be set aside.

IA NO: 1 OF 2020

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 to direct the Respondents to grant six weeks time for filing objections in response to the proceedings in Rc.No.RC/ENC(Admn.)/C1/C2/9978699/2020/Z-1 to 6 Dt.10-06-2020 and consequential rectified proceedings No. RC/ENC(Admn.)/C1/C2/9978699/2020/Z-1 to 6 Dt. 11-06-2020 issued by the Respondent No.2, pending disposal of WP 9981 of 2020, on the file of the High Court.

The petition coming on for hearing, upon perusing the Petition and the affidavit filed in support thereof and orders of the High Court dated 18-06-2020 & 29-07-2020 made herein and upon hearing the arguments of Sri T D Pani Kumar, Advocate for the Petitioners and GP for Irrigation for the Respondents, the Court made the following.

ORDER

"Heard arguments of learned counsel Sri Surendra Rao and learned counsel for respondents & learned Government Pleader for Services-III.

In the light of submissions made by the learned counsel for petitioner and respondents, post this matter for filing counter by the respondents by 03.09.2020.

In the meanwhile the interim order is extended for two (02) weeks.

The office is directed to put up all the implead petitions to file."

Sd/- M. SURYANADHA REDDY
ASSISTANT REGISTRAR

//TRUE COPY//

For ASSISTANT REGISTRAR

To,

1. The Section Officer, Writ Service Section, High Court of AP.
2. One CC to Smt. A Chaya Devi Advocate [OPUC]
3. Two CCs to GP for Services-III, High Court of Andhra Pradesh. [OUT]
4. One CC to Sri Surendra Rao, Advocate [OPUC]
5. One CC to Sri T D Pani Kumar, Advocate [OPUC]
6. Two CCs to GP for Irrigation, High Court of Andhra Pradesh. [OUT]
7. One spare copy

SP

HIGH COURT

GSPJ

DATED: 27/08/2020

**NOTE: POST THIS MATTER FOR FILING COUNTER BY THE RESPONDENTS BY
03.09.2020.**

ORDER

WP Nos: 9993 & 9981 OF 2020

EXTENSION OF INTERIM ORDERS

