

HON'BLE SMT JUSTICE KONGARA VIJAYA LAKSHMI

WRIT PETITION No.18159 of 2016

ORDER:

Heard the learned counsel for petitioner and learned Government Pleader for Revenue. At their request, the Writ Petition is being disposed of at the admission stage.

This Writ Petition is filed seeking a Writ of Mandamus declaring the inaction of respondent No.3 in seizing/closing borewell of respondent No.6, situated at Sy.No.84/C2, Mugathi Village, Nandavaram Mandal, Kurnool District, by initiating proceedings under the Andhra Pradesh Water, Land and Trees Act, 2002 (for short 'the Act'), as illegal and arbitrary.

Petitioner's case, in short, is that respondent No.6, without obtaining permission, dug bore-well resulting in drying up of her bore-well; she, therefore, made complaint to respondent No.3; respondent No.3 sought report from the Mandal Revenue Inspector, Nandavaram who, in turn, submitted report stating that respondent No.6 dug bore-well unauthorisedly; respondent No.3, by his letter dated 13.10.2014, requested respondent No.5 not to give electricity supply to bore-well and disconnect, if already given; and, despite which, no proceedings are initiated against respondent No.6 for closure of bore-well. Hence the writ petition.

Learned counsel for the petitioner submits that, pursuant to the letter of Tahsildar, Nandavaram dated 03.06.2016, respondent No.5 may be directed to take action to disconnect power supply to the bore-well of respondent No.6.

In the facts and circumstances of the case, and without going into merits of the case, the Writ Petition is disposed of with a direction to respondent No.5 to take action, strictly in accordance with law, after giving notice and opportunity of hearing to respondent No.6. No order as to costs.

As a sequel thereto, the miscellaneous petitions, if any, pending in this Writ Petition shall stand closed.

KONGARA VIJAYA LAKSHMI, J

Dt:09.07.2019
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