

THE HON'BLE SRI JUSTICE VILAS V.AFZULPURKAR

WRIT PETITION No.38151 OF 2015

ORDER:

Heard.

This Writ Petition is filed alleging that the bore-well of the petitioner situated in Survey No.245 of Mushturu Village, Battalapalli Mandal, Anantapur District, is seized without considering his explanation and without passing any order.

Learned Government Pleader for Revenue was required to get instructions and now he has produced a copy of the report of the Tahsildar, Battalapalli, Anantapur District, the 3rd respondent, in Rc.No.373/2015/B, dated 26.10.2015, which shows that an opportunity was given to the petitioner and he has also submitted his written explanation on 31.08.2015.

Prima facie the said explanation appears to be considered and the order of seizure is passed on the ground of violation of the provisions of Andhra Pradesh Water, Land and Trees Act (for short, 'the Act'). The order also appears to have been served on the petitioner and a copy of the said order is also furnished to learned counsel for the petitioner in the Court today.

In view of the said order having been passed, the petitioner, if aggrieved, can avail an alternative remedy provided under the Act.

The Writ Petition is accordingly disposed of leaving it open to the petitioner to avail the remedies available under the Act. There shall be no order as to costs.

Miscellaneous Petitions, if any, pending in this Writ Petition shall stand closed.

VILAS V.AFZULPURKAR, J

26.11.2015

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