

**THE HON'BLE SRI JUSTICE CHALLA KODANDA RAM**

**WRIT PETITION NO.11699 of 2015**

-

Between:

1. Kakarla Seshagiri Rao and another.

PETITIONERS

AND

1. State of Andhra Pradesh, rep. by its Principal Secretary, Revenue  
Department, Secretariat, Hyderabad, and others.

RESPONDENTS

**ORDER:**

The petitioner claims to be in possession of an extent of Ac.8.91 cents of agricultural land in Sy.NO.277/A situated at Musullagunta village, the 2<sup>nd</sup> petitioner is in possession of Ac.4.69 cents of land in Sy.No.445/2 at Nallajerla revenue village, and the 5<sup>th</sup> respondent has lands in Sy.No.445/2 at Dubacherla Revenue village. The petitioner and the 5<sup>th</sup> respondent have dug bore wells and were

drawing water. The case of the petitioner is that the 5<sup>th</sup> respondent has illegally digging a second bore well besides the existing bore well within the radius of 80 meters from the existing bore well of the petitioner, and applied for electricity connection before the 4<sup>th</sup> respondent. Aggrieved by same, the petitioners made representations dated 19.03.2015 and 23.03.2015 to respondents 2 to 4 requesting them to prevent the 5<sup>th</sup> respondent to dig new bore well contrary to the provisions of Andhra Pradesh Water, Land and Trees Act, 2002, and G.O.Ms.No.227 dated 8.04.2013 wherein there is a restriction for digging bore wells within 250 of meters of existing bore well. As no orders are passed so far, the petitioners approached this Court by way of this writ petition.

Heard learned counsel for the petitioners and learned Assistant Government Pleader for Revenue (A.P.) for respondents.

Learned counsel for the petitioners submits that raising all the grounds, the petitioner submitted representations to the authorities concerned including the Collector. As a matter of fact the petitioner placed on record the notice said to have been issued by the Tahsildar dated 31.03.2015 intimating about the show cause notice. Thereafter the respondent Authorities are not taking action.

On the other hand the learned counsel appearing for the 5<sup>th</sup> respondent Sri P. Durga Prasad, categorically asserts that there was no new bore well being dug by the 5<sup>th</sup> respondent and for the bore well, which was in existence, a permission has been granted on 10.06.2014 and amounts have been paid for obtaining power supply.

In the light of the controversy, and in the light of the respective submissions, without expressing any opinion on merits, I deem it appropriate to dispose of the writ petition directing the 3<sup>rd</sup> respondent to consider the representations of the petitioners, resolve the dispute and pass appropriate orders in accordance with law expeditiously.

With the above direction, the writ petition is disposed of. No costs. As a sequel, miscellaneous petitions, if any, shall stand closed.

---

**CHALLA KODANDA RAM, J.**

1<sup>st</sup> May, 2015

Js.