

HONOURABLE SRI JUSTICE CHALLA KODANDA RAM

WRIT PETITION No.40766 OF 2014

O R D E R:

The case of the petitioner is that the 2nd respondent at the instance of the 3rd respondent had seized the bore well of the petitioner without following due process of law.

A perusal of the notice dated 19.06.2014, issued by the 2nd respondent reveals that there is an allegation of petitioner violating the provisions of the Andhra Pradesh Water, Land & Trees Act, 2002 (in short “the Act”) dug the bore well. Further, it is alleged that the petitioner had put a pipeline and supplying water to the neighbours’ land. However, petitioner submits that the land, to which he is supplying water, belongs to his father and in fact it belongs to joint family property and they are cultivating their own land.

Heard both sides.

A perusal of the notice dated 19.06.2014 reveals that it has been issued to the petitioner for violation of the provisions of the Act. Petitioner does not state in the affidavit that he had submitted any explanation to the notice dated 19.06.2014. Therefore, in the interest of justice it would be appropriate to give an opportunity to the petitioner to submit his explanation to the notice dated 19.06.2014. Accordingly, the petitioner is given an opportunity to submit his explanation to the notice dated 19.06.2014, within a period of four weeks from the date of receipt of copy of this order. Once an explanation is submitted by the

petitioner, 2nd respondent shall pass orders after considering the explanation given by the petitioner, till such time the 2nd respondent shall not interfere with the bore well of the petitioner. If the petitioner fails to submit his explanation within the period as prescribed above, the 2nd respondent shall put him on notice, give him an opportunity of being heard and, thereafter, pass appropriate orders in accordance with law.

With the above observations, the Writ Petition is disposed of. There shall be no order as to costs. In sequel miscellaneous petitions pending, if any, shall also stand closed.

CHALLA KODANDA RAM, J

Dated:27.01.2015.

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