

HON'BLE SRI JUSTICE VILAS V.AFZULPURKAR

W.P.No.19355 of 2015

ORDER:

Heard.

The petitioner states that he is the owner and possessor of the lands admeasuring Ac.0-94 cents in Sy.No.287/3, Ac.4-78 cents in Sy.No.286/3, Ac.1-83 cents in Sy.No.287/2B, Ac.0-81 cents in Sy.No.287/2L, Ac.0-96 cents in Sy.No.287/2H and Ac.0-60 cents in Sy.No.281/7 situated at Kanumukkala Village, Chenne Kothapalli Mandal, Anantapur District, and he dug bore well in the said lands. He has filed the present writ petition on the allegation that the 3rd respondent and his subordinates visited his lands on 22-06-2015 and threatened to seize the bore well.

The petitioner states that no notice is issued to him nor any legal proceedings are pending and as such the threatened action of seizure of bore well is questioned in this writ petition.

Under WALTA Act, 2002, if any complaint is received by the Tahsildar, within his jurisdiction, he is required to look into such complaint and in exercise of such power, he is required to give notice and opportunity to file explanation and thereafter, take appropriate decision. Therefore, the petitioner's allegation that the 3rd respondent is trying to seize the bore well without following due procedure appears to be mere apprehension and imaginary. However, it is made clear that if the 3rd respondent intends to take any action against the petitioner's borewell, it is open for him to follow the procedure under the WALTA Act, 2002 by issuing notice and giving opportunity to the petitioner and then take appropriate action.

Accordingly, the writ petition is disposed of. No costs.

Miscellaneous petitions, if any, pending in this writ petition shall stand closed.

Date: 30-06-2015

Prv

VILAS V.AFZULPURKAR, J

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30-06-2015

Prv