

HON'BLE SRI JUSTICE VILAS V.AFZULPURKAR

W.P.No.26037 of 2015

ORDER:

Heard.

The petitioner complains of seizure of bore well under the impugned notice Rc.No.B/768/2015, dated 07-08-2015. The petitioner placed strong reliance upon a Memo issued by the same office of the Mandal Revenue Officer, Torrur, in File No.B/680/2004, dated 10-08-2005, wherein it is stated that the Assistant Director of Survey and Land Records measured the land in Sy.No.287 and found that the petitioner's bore well is in patta land and consequently, restoration of borewell was ordered.

Prima facie, the grievance of the petitioner against the 2nd respondent appears to be justified as he has not referred to the earlier proceedings, dated 10-08-2005, referred to above, and proceeded to seize the petitioner's bore well. However, since the impugned order is only a notice, the petitioner is permitted to submit his explanation bringing all the attendant facts to the notice of the 2nd respondent.

The petitioner counsel states that the petitioner would submit explanation to the 2nd respondent.

In view of that, the writ petition is disposed of directing the 2nd respondent to consider the said explanation and the earlier order of the Mandal Revenue Officer, referred to above, and other attending circumstances and pass appropriate orders in pursuance of the impugned notice within one week from the date of receipt of explanation from the petitioner. It is made clear that if the 2nd respondent is satisfied with the explanation, he shall forthwith restore the seized bore well of the petitioner along with electricity connection, if any. No costs.

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

VILAS V.AFZULPURKAR, J

Date: 17-08-2015

Prv

HON'BLE SRI JUSTICE VILAS V.AFZULPURKAR

W.P.No.26037 of 2015

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19-08-2015

Prv

