

HON'BLE SRI JUSTICE C. PRAVEEN KUMAR

WRIT PETITION No.28019 of 2012

-

ORDER :

The writ petition is filed to declare the action of the respondents in not taking any action to stop the digging of a bore well by the 4th respondent adjacent to the petitioner's existing agricultural well in Sy.Nos.438 and 439/A situated at Bethavolu Village, Chilkuru Mandal, Nalgonda District, without any permission, as illegal and arbitrary.

2. The petitioner claims to be the owner and possessor of agricultural land admeasuring Ac.6.00 gts.in Sy.Nos.438 and 439/AA situated at Bethavolu Village of Chilkuru Mandal, Nalgonda District and he has dug a bore well about six years back for the purpose of agricultural operations. While the things stood thus, the 4th respondent, being adjacent land owner, proceeded to dig a bore well near the existing well of the petitioner without any permission from the concerned authorities. It is submitted that though an objection was raised by the petitioner, the 4th respondent proceeded to dig the well. As such, the father of the petitioner made representations on 27.08.2012 before the 3rd respondent and on 01.09.2012 before the 2nd respondent, bringing to their notice about the digging of well near the existing well of

the petitioner, but there was no response. The petitioner further submitted that if the 4th respondent is allowed to proceed with the digging of the well, there is every possibility of his well getting dried up and it would be difficult for him to cultivate his land. Aggrieved by the action of the respondents, the petitioner filed this writ petition.

3. When the matter is taken up for hearing, the learned Government Pleader for Revenue submitted that pursuant to the representations made by the father of the petitioner, the respondent authorities have seized the bore well of the 4th respondent on 30.10.2012 after giving a notice to the concerned.

4. In view of the afore-mentioned representation made by the learned Government Pleader for Revenue, no further orders are necessary in this writ petition and this Court is of the view that the cause in the writ petition does not survive any more.

5. Accordingly, this writ petition is closed. No costs.

6. Miscellaneous petitions pending, if any, shall stand closed.

C. PRAVEEN KUMAR, J

23rd September 2015.

mar