

THE HON'BLE SRI JUSTICE CHALLA KODANDA RAM

WRIT PETITION NO.5447 of 2015

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Between:

Chettipalli Narsimha Reddy

PETITIONER

AND

1. State of Telangana, rep. by its Principal Secretary, Panchayat Raj Department, Secretariat, Hyderabad, and others.

RESPONDENTS

ORDER:

This writ petition is filed to declare the action of the 4th respondent in threatening to seize the bore well of the petitioner in the land in Sy.No.512, 513/J & 514/1 of Lingala Ghanpur Revenue Village and Mandal, Warangal District without any notice, as illegal and arbitrary and for a consequential direction to the respondents not to interfere with the bore well of the petitioner.

The case of the petitioner is that he is the absolute owner and possessor of the land admeasuring Ac.1.04 gts in Sy.No.512, 513/J & 514/1 of Lingala Ghanpur Revenue Village and Mandal, Warangal District. He dug bore well in the above land 15 years back and took electricity connection and cultivating the land by raising paddy crop etc. The grievance of the petitioner is that the 4th respondent is threatening to seize the bore well and trying to disconnect the power supply, without issuing any notice and without following due process of law. Hence the present writ petition is filed.

Heard learned counsel for the petitioner and learned Government Pleader for Panchayat Raj for the 1st respondent and learned Government Pleader for Revenue (Telangana) for respondents 2 to 4.

Considering the fact that the petitioner is an agriculturist and there is a standing crop in the land, ends of justice would be met if a direction is issued to the respondents not to pass any orders by seizing the bore well of the petitioner.

Accordingly, the writ petition is disposed of directing the respondents not to seize the bore well of the petitioner and no adverse orders shall be passed. However, any action that may be taken by the respondents only after following due process of law, particularly

keeping in view the provisions under Section 15 of the Andhra Pradesh Water, Land and Trees Act, 2002 by giving adequate opportunity to the petitioner. No costs. As a sequel, miscellaneous petitions, if any, shall stand closed.

CHALLA KODANDA RAM, J.

13th March, 2015
Js.