

HONOURABLE SRI JUSTICE P. NAVEEN RAO

WRIT PETITION No. 21268 of 2015

Date :13-07-2015

Between :

V V Giridhar S/o V Raja Gopala Rao
R/o Kothapalli village, Makloor mandal
Nizamabad district

Petitioner

And

The State of Telangana
Rep by its Principal Secretary, Panchayat raj and Rural Dvlp
Secretariat Hyderabad and others

Respondents

The Court made the following:

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ORAL ORDER:

Heard learned counsel for petitioner, learned Assistant Government

Pleader for Revenue and learned Assistant Government Pleader for Panchayatraj and with their consent, the writ petition is taken up for disposal at the admission stage.

2. This writ petition is filed questioning the action of the third respondent in not taking action on the representation of the petitioner dated 8.6.2015 regarding bore well illegally sunk by respondents 4 and 5 adjacent to bore well of the petitioner in survey No. 185, Gunjali village, Makloor mandal, Nizamabad.

3. Petitioner claims that land admeasuring Ac.2.02 guntas in survey No. 185, Gunjali village, Makloor mandal, Nizamabad is his ancestral property and fell to his share in a family partition and he is in possession and enjoyment of the same. That in the year 1996 he dug a bore well therein and cultivating the same. As he is living in Hyderabad he has leased out his land to one Sudhakar Rao. Petitioner alleges that on 2.6.2015 respondents 4 and 5 along with their men trespassed into his land and taking advantage of his absence in the village, dug a bore well 5 meters away from his existing bore well illegally without taking permission from the third respondent as required under the A.P. Water, Land and Trees Act, 2002. On coming to know about the same, petitioner along with his tenant submitted a representation dated 8.6.2015 to third respondent and the same is pending and no action is taken. Hence, the present writ petition.

4. When the matter is taken up, learned counsel on either side agreed for disposal of the writ petition with a direction to third respondent to expeditiously dispose of the pending representation of petitioner.

5. Having regard to the same, without expressing any opinion on the merits of the matter, writ petition is disposed of directing third respondent to consider the representation of the petitioner dated 8.6.2015 and pass appropriate orders as warranted under law within a period of four weeks from the date of receipt of copy of this order and communicate the decision to the petitioners. It is needless to mention that prior notice and opportunity of hearing be afforded to respondents 4 and 5. Pending consideration of such representation, parties shall maintain status quo obtaining as on today.

No costs. Having regard to the same, miscellaneous petitions, if any pending, are closed.

P NAVEEN RAO,J

DATE:13.7.2015
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