

HON'BLE SRI JUSTICE VILAS V.AFZULPURKAR

W.P.No.19108 of 2015

ORDER:

Heard.

The petitioner questions the notice issued by the 3rd respondent on 18-03-2015 requiring him to appear on 24-03-2015 with reference to complaint of one Akarapu Chinna Ramulu complaining of unauthorized borewell dug by the petitioner. The petitioner has made various averments in the affidavit, but apparently he has not approached before the 3rd respondent with any explanation. It is stated that the notice is issued to the son of the petitioner, who appeared before the 3rd respondent and there appears to be some controversy regarding Survey number in which the bore well is existing.

It cannot be disputed that whenever a complaint of violation of WALTA Act, 2002 is received by the Tahsildar, within his jurisdiction, he is required to look into such complaint and in exercise of such power, he has to give notice to the persons represented as owners of the disputed bore well. If the petitioner is concerned with the said bore well, it is for the petitioner to appear before the 3rd respondent and submit his explanation to enable the 3rd respondent to appreciate the contentions of the complainant as well as the petitioner. No reasons, therefore, exist to entertain the writ petition.

The petitioner is at liberty to approach the 3rd respondent and file his explanation provided no final orders are passed as of now. If such explanation is received by the 3rd respondent, he shall consider the same and pass appropriate orders in accordance with law.

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

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

VILAS V.AFZULPURKAR, J

Date: 30-06-2015

Prv

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