

THE HON'BLE SRI JUSTICE VILAS V.AFZULPURKAR

WRIT PETITION No.33214 OF 2015

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ORDER:

The petitioner questions the seizure of his bore-well by the Tahsildar, Chitoor Mandal, Chittoor District, the 3rd respondent, in pursuance of notice, dated 18.04.2015, issued to him in proceedings No.B/1881/2015. The seizure is stated to have been affected by the 3rd respondent around 29.06.2015 after his report sent to the District Collector. The petitioner states that in spite of his making representations and also issuing legal notice, no orders have been passed by the 3rd respondent and continuous seizure of the bore-well is causing hardship to the petitioner.

It is stated that pursuant to the notice, dated 18.04.2015, the petitioner appeared before the 3rd respondent along with the documents concerned, but no enquiry was held and no further proceedings were issued by the 3rd respondent.

After hearing learned counsel for the petitioner and learned Government Pleader for Revenue, it is evident that the aforesaid action appears to have been taken by the 3rd respondent in pursuance of the orders of this Court in W.P.No.4712 of 2015, dated 02.03.2015, and the said Writ Petition was filed by the 7th respondent alleging illegal digging of the bore-well by the petitioner herein. Even the aforesaid order directs the Tahsildar to conduct appropriate enquiry after giving notice to all parties. However, it appears that neither any enquiry, as contemplated, is held, nor any orders are passed by the 3rd respondent. It is also evident that though the petitioner has given legal notice, he has not filed any explanation to the notice, dated 18.04.2015, issued by the 3rd respondent.

In the circumstances, I deem it appropriate to dispose of the Writ Petition by

permitting the petitioner to file his explanation within two weeks from today and on receipt of the same, the

3rd respondent shall give notice to the petitioner and the

7th respondent by fixing a date for hearing, examine the records and pass appropriate orders in accordance with the Andhra Pradesh Water, Land and Trees Act, 2002 and communicate the same to the parties. The said exercise shall be completed by the 3rd respondent within four weeks from the date of receipt of a copy of the explanation to be submitted by the petitioner.

The Writ Petition is accordingly disposed of. There shall be no order as to costs.

Miscellaneous petitions, if any, pending in this Writ Petition shall stand closed.

VILAS V.AFZULPURKAR, J

08.10.2015

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