

THE HON'BLE DR. JUSTICE B.SIVA SANKARA RAO

WRIT PETITION No.20608 of 2013

ORDER:

There is no representation on behalf of the petitioner. A perusal of the very complaint of the petitioner to the S.H.O, Gangadhar Police Station dated 21.06.2013 shows the removal of the pipeline laid by the petitioner in the neighbouring land to draw water. It is not the case of the petitioner that the neighbour has given permission to lay the pipeline and subsequently violating the permission by removing the pipeline unlawfully. Otherwise, his very act of laying the pipeline in neighbour's land which tantamounts to trespass and mischief. The neighbour has got right to remove such unauthorized laying of pipeline to protect his property. A perusal of the report shows there is no any cognizable offence practically. That are also written instructions from the Assistant Government Pleader.

2) Having regard to the above, the writ petition is disposed of to work out other civil remedies, if any that there is any customary or easementary rights to enforce. No order as to costs. Consequently, miscellaneous petitions, if any shall stand closed.

Dr.B.SIVA SANKARA RAO, J

28-04-2016

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