

HON'BLE SRI JUSTICE A.RAJASHEKER REDDY

WRIT PETITION No.8576 OF 2016

ORDER:

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This writ petition is filed questioning the notice dated 17-02-2016 issued by the 4th respondent, wherein the petitioner was directed to remove the motor and show-cause, why action should not be initiated under A.P. Water, Land and Trees Act, 2002 (for short "the Act").

When the matter was listed on 16-03-2016, learned Government Pleader for Revenue was directed to get instructions whether any final orders have been passed by the 4th respondent pursuant to the notice dated 17-02-2016 and when the matter was listed on 18-03-2016, the petitioner was directed to file explanation given to the show-cause notice dated 17-02-2016. When the matter is listed today, the learned Assistant Government Pleader for Revenue produced a copy of the order dated 26-02-2016 by stating that pursuant to the notice impugned in the writ petition, the petitioner has submitted his explanation and order has been passed and that there is appeal provided against the said order under Section 3 of the Act.

Learned counsel for the petitioner says that copy of the order dated 26-02-2016 is served on him by the Assistant Government Pleader, but not by the 4th respondent.

In view of the same, the 4th respondent is directed to serve a copy of the order vide proceedings No.B/338/2016, dated 26-02-2016 on the petitioner, if it was not already served. It is open for the petitioner to prefer appeal against the order, dated 26-02-2016, since by the time the writ petition is filed, the same is not filed and it is not the case of the petitioner that the impugned show-cause notice is without jurisdiction. In view of the same, I see no merit in the writ petition and it is liable to be dismissed

Accordingly, the writ petition is dismissed. However, it is open for the petitioner to file appeal against the order dated 26-02-2016.

Miscellaneous petitions, if any, pending in this Writ Petition shall stand closed. No order as to costs.

A.RAJASHEKER REDDY,J

28-03-2016
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