

HON'BLE SRI JUSTICE M.S.RAMACHANDRA RAO

W.P.No.10813 of 2016

ORDER:

Heard the learned counsel for the petitioner and the learned Government Pleader for Revenue appearing for respondents.

2. In this Writ Petition, petitioner questions order dt.22-03-2016 of 2nd respondent styled as 'notice' directing the petitioner to stop extraction of ground water from a bore well in his plot.

3. Learned counsel for the petitioner contends that this order is not preceded by any show cause notice and that it has been passed in violation of principles of natural justice.

4. A reading of the impugned order indicates that the Village Revenue Officer had given a report on 21-03-2016 to 2nd respondent stating that there is over extraction of water from this bore well in a residential area and that the petitioner is indulging in commercial exploitation by selling water through water cans resulting in neighbouring borewells becoming dry and causing water scarcity.

5. Having regard to this fact which is mentioned in the impugned order, 2nd respondent shall treat the impugned order as a notice issued under the provisions of

AP Water, Land and Trees Act, 2002; the petitioner will submit his explanation thereto within two weeks from the date of receipt of a copy of this order; and 2nd respondent will then pass a reasoned order in accordance with law and communicate the same to the petitioner within two weeks of submission of the petitioner's reply to the notice. Pending passing of final orders by 2nd respondent, the petitioner shall not draw water for the purpose of selling through water cans.

6. With the above directions, the Writ Petition is disposed of. No costs.

7. As a sequel, the miscellaneous petitions, if any pending, shall stand closed.

JUSTICE M.S.RAMACHANDRA RAO

Date: 01-04-2016

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