

HON'BLE SRI JUSTICE S.V.BHATT
Writ Petition Nos.11274 & 12303 of 2016

COMMON ORDER:

Heard Sri I.Koti Reddy, learned counsel for the petitioner in WP No.11274 of 2016, Sri V.V.Raghavan, learned counsel for the petitioner in WP No.12303 of 2016 and the learned Government Pleader for Revenue. Subject matter of these two writ petitions is substantially one and the same.

In the first writ petition, the petitioner challenges the alleged seizure/seal of the subject bore well by the Tahsildar, as contrary to law, in utter violation of principles of natural justice. In the second writ petition, the petitioner complaints against the in-action of 3rd respondent, in considering and taking appropriate action against Respondents 4 to 8 and bore well dug by them contrary to the provisions of law and are drawing water.

The government filed counter-affidavit and also a petition to vacate the interim order granted in WP No.11274 of 2016. Perused the material available on record.

The issue is about the bore well dug by the petitioner in WP No.11274 of 2016. Having regard to the nature of disposal of writ petitions, it is made clear, I am not referring to the merits or contentions of the parties. The short grievance of the petitioners is that bore well is dug without permission and on the other hand, the reply is that the bore well is in existence, much prior to WALTA Act. Having perused the material available on record, keeping in mind the exigency to consider and dispose of the grievance of the parties within the four corners of law, I am satisfied, the writ petitions can be disposed of by this order.

The Tahsildar, Yadiki Mandal, Ananthapur District is directed to enquire in to the complaints made by the petitioners and conducts enquiry within one week and orders are passed within two days. The date for appearance of parties before the Tahsildar is 17.05.2016. The said exercise shall be carried out by the Tahsildar without reference to the orders, if any, passed by him. It is made clear that this court is not expressing any view on merits and the interim order granted in favour of the petitioner in WP No.11274 of 2016 shall remain operative till 19.05.2016.

With the above direction, both the writ petitions are disposed of. No order as to costs. Miscellaneous petitions, if any, pending in these writ petitions, shall stand closed.

S.V.BHATT, J

Date: 12.05.2016
Note:
Furnish CC in two days
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URGENT

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Date: 12.05.2016

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