

HON'BLE THE ACTING CHIEF JUSTICE RAMESH RANGANATHAN

WRIT PETITION NO.4544 OF 2011

ORDER:

The relief sought for in this Writ Petition is for a mandamus to declare the inaction of the first respondent, in not taking action against the unauthorized bore-well of respondents 2 to 4 situated in Sy. No.278-3 of Akuledu village, Singanamala Mandal, Anantapur District as illegal, arbitrary and in violation of the provisions of the APWALT Act.

An interim order was passed directing the first respondent to ensure that respondents 2 to 4 do not operate their bore-well in Sy. No.278-3 pending further orders. More than six and half years have elapsed, since the interim order was passed. Despite service of notice, neither have respondents 2 to 4 entered appearance nor are they represented by Counsel. Suffice it, therefore, to observe that respondents 2 to 4 shall not operate the illegally dug bore-well without obtaining written consent of the Tahsildar. In case any such request is made by respondents 2 to 4, for grant of permission to operate the bore-well, the Tahsildar shall consider the said application in accordance with law, after putting the petitioner on notice and after giving him an opportunity of being heard.

The Writ Petition is disposed of accordingly. The miscellaneous petitions pending, if any, shall stand closed. No costs.

RAMESH RANGANATHAN, ACJ

Date: 15.12.2017.
MRKR