

THE HON'BLE THE ACTING CHIEF JUSTICE RAMESH RANGANATHAN

WRIT PETITION NO.9982 OF 2009

ORDER:

The petitioner has invoked the jurisdiction of this Court questioning the action of the respondent in seeking to restrain him from digging an open well.

While Sri K.Venumadhav, learned counsel for the petitioner, would draw my attention to Section 10(2) of the Andhra Pradesh Water, Land and Trees Act, 2002 ("the Act" for brevity), to contend that it is only if an open well is dug in proximity to a drinking water source, is permission required, the proviso to Section 10(2) of the Act requires a person, who is digging an open well, to obtain permission from the A.P. Transco constituted under Section 13 of the Andhra Pradesh Electricity Reforms Act, 1998.

Be that as it may, it does appear that the petitioner has already dug an open well. Suffice it, therefore, to make it clear that this order shall not preclude the respondent from taking action against the petitioner for violation, if any, of the provisions of the Act in accordance with law.

The Writ Petition stands disposed of accordingly. There shall be no order as to costs. Miscellaneous applications, if any, pending shall stand closed.

(RAMESH RANGANATHAN, ACJ)

21st July 2017
RRB