

HON'BLE SRI JUSTICE M.S.RAMACHANDRA RAO

W.P.No.21 of 2017

ORDER:

Heard the learned counsel for the petitioner, learned Government Pleader for Revenue, appearing for respondent Nos.1 to 3 and Sri K.Bhaskara Rao, learned counsel for 4th respondent.

2. Petitioner alleges that 4th respondent had dug a bore-well in Sy. No.57 of Choulla Ramaram village, Mothkuru Mandal, Nalgonda District without obtaining permission under the A.P. WALTA Act, 2002.

3. Though this allegation is denied by learned counsel for 4th respondent and it is asserted that the bore-well in question was in existence prior to 2002, no material is placed by 4th respondent to that effect.

4. In any event, 3rd respondent could not have issued the proceedings dt.09-11-2016 referring to the civil suit O.S.No.149 of 2015 and interim order therein which does not concern the bore-well in question at all. He cannot abdicate his responsibility to enforce the provisions of the A.P. WALTA Act, 2002 in this manner.

5. Therefore, the 3rd respondent shall immediately initiate proceedings under A.P. WALTA Act, 2002 against 4th respondent and take appropriate action within four weeks from the date of receipt of a copy of this order.

6. Accordingly, 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: 13-11-2017

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