

HON'BLE SRI JUSTICE S.V. BHATT

Writ Petition No.23200 of 2017

ORDER:

Heard Sri K. Sambasiva Rao for petitioner and the Assistant Government Pleader (Revenue) for respondents 1 to 3.

2. The petitioner challenges the proceedings of the 3rd respondent in Rc.No.213/ 2017 dated 22.06.2017 passed under the A.P. WALTA Act, 2002.

3. The Assistant Government Pleader objects to the maintainability of the writ petition on the ground of availability of effective alternative remedy by way of appeal before the 2nd respondent. This court is in agreement with the objection raised by respondents.

4. Learned counsel for the petitioner submits that the petitioner would workout the grievance against the order impugned in the writ petition by filing an appeal before the 2nd respondent, but since the mango garden raised by the petitioner with the help of bore well now directed to be seized is not getting sufficient monsoon rains, requests the court to protect the interest of the petitioner for some time.

5. I have taken note of the mango trees stated to be planted in the land owned by the petitioner and to prevent irreparable hardship, to the petitioner, the writ petition is disposed of by this order:

(a) The petitioner is given liberty to file appeal within two weeks from today;

(b) The petitioner is given liberty to file application for interim orders and the 2nd respondent is directed to consider and dispose of the said application within four weeks from the date of filing;

(C) The 3rd respondent is directed not to physically seize or disconnect power supply to the subject bore well for a period of four weeks from today.

No order as to costs. Pending miscellaneous petitions if any in this writ petition shall stand dismissed in consequence.

S.V. BHATT, J

Date: 14.07.2017
BSS



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