

THE HON'BLE SRI JUSTICE P.NAVEEN RAO

WRIT PETITION No.27579 OF 2017

DATED : 18.08.2017

Between :

Rakkisa Nagababu S/o.R.Satyanarayana,
Aged 32 yrs, Occu : Employee,
R/o.D.No.1-98, Chennuru Village, Pedana Mandal,
Krishna District and another.

..

Petitioners

And

The State of A.P.,
Rep., by its Principal Secretary-Revenue,
Amaravathi, Velagapudi,
Guntur District & others

..

Respondents



This court made the following :

THE HON'BLE SRI JUSTICE P.NAVEEN RAO

WRIT PETITION No.27579 OF 2017

ORDER :

Heard.

2. Petitioners claim that they are the owners of house bearing No.1-98, in Chennuru Village and Gram Panchayat, Pedana Mandal, Krishna District, having purchased the same through registered sale deed dated 25.03.2013. In order to have drinking water facility they wanted to dig a bore well and while they were undertaking digging of bore well, the revenue authorities came to the scene and prevented the petitioners from undertaking digging of bore well and that petitioners also gave a statement which would disclose that the revenue authorities prevented them from digging bore well. What is alleged in the writ petition is seizure of the equipment.

3. During the course of hearing learned counsel for the petitioners submit that infact the seized bore well machinery was already released on payment of an amount of Rs.35,000/-. The grievance projected in the writ petition is entirely different than what is stated across the bar. It appears bore well digging machinery was seized and released. However, if petitioners want to dig the bore well, under the provisions of A.P. Water, Land and Trees Act, 2002 (for short 'the Act, 2002') procedure is prescribed to apply for digging of bore well to the competent authority and it is for the competent authority to grant permission or otherwise. Apparently, so far no such application was made. In fact the panchanama copy enclosed at Page No.10 and the statement given by the petitioners would also disclose that petitioners were digging

bore well, even before they applied for permission. Thus, no cause survives in the writ petition, to grant the relief, as sought for by the petitioners.

4. Leaving it open to the petitioners to work out their remedies by applying for permission before the competent authority for digging bore well under the Act, 2002, the writ petition is dismissed. There shall be no order as to costs.

Miscellaneous petitions, if any, pending in this writ petition shall stand closed.

18th August, 2017
Rds

P.NAVEEN RAO,J

