

THE HON'BLE SRI JUSTICE S.V.BHATT

WRIT PETITION No.16168 of 2017

ORDER:

Heard Mr.Jalli Kanakaiah, learned counsel for the petitioner, and the learned Assistant Government Pleader for Revenue (Telangana).

The petitioner in the instant Writ Petition canvass against the inaction of the fourth respondent in taking action against the fifth respondent for the alleged unauthorized and illegal digging of borewell by the fifth respondent at Sy.No.126 of Anantharam village, Gundala Mandal, Nalgonda District in violation of the Water, Land and Trees Act, 2002 (for brevity, 'the Act') and the rules made therein.

The petitioner made complaints to the fourth respondent on 17.01.2015 and again on 03.02.2015 but the fourth respondent so far has not taken any action against the fifth respondent.

Fifth respondent filed W.P.No.6182 of 2015 on 11.03.2015 and the same was disposed of. From the affidavit it is clear that the fourth respondent is not deciding the issue as required by the Act. The same amounts to abdication of authority conferred on the fourth respondent.

Prima facie, it appears the fourth respondent, who is the competent party, ought to have taken timely action in accordance with law. Be that as it may, since the inaction in looking into the grievance is continuing till date, this Court is of the view that the fourth respondent can be directed to enquire into the complaints received by him on 17.01.2015 and 03.02.2015, afford opportunity to the fifth respondent and pass orders within two weeks from the date of receipt of a copy of this order. The petitioner is given liberty to represent the complaints dated 17.01.2015 and 03.02.2015 to the fourth respondent, within two weeks from today by communicating a copy of this order.

The Writ Petition is disposed of as indicated above. As a sequel, the miscellaneous petitions, if any pending, shall stand closed. There shall be no order as to costs.

01st June, 2017
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S. V. BHATT, J