

THE HON'BLE DR. JUSTICE B.SIVA SANKARA RAO

WRIT PETITION No.19434 OF 2017

ORDER:

This Writ Petition is filed by the petitioner with the prayer which reads as follows:-

“to issue Writ or direction more particularly in the nature of Writ of Mandamus declaring the action of the 2nd Respondent in issuing the letter No. EE/KE/D.B./J.T.O.-1/1106M Dated: 05-06-2017 through which they cancelled the no objection letter No.EE/KE/D.B./J.T.O.-1/1075M Dated: 03-06-2017 for desilting in Talla pond, Gopuwanipalem Village, Pamidimokala Mandal, Krishna district as illegal arbitrary and violation of Article 14 of the Constitution of India including Principles of Natural Justice and consequently set aside the same and to pass such other order or orders may deem fit and proper in the circumstances of the case.”

2. Heard learned counsel for the petitioner and perused the prayer in the writ petition with supporting affidavit and the other material on record and also the impugned proceedings of the 2nd respondent, addressed to the petitioner/panchayat, cancelling the permission accorded on 03.06.2017 for desilting in the Talla Pond, Gopuwanipalem Village, Pamidimokala Mandal, Krishna District, without opportunity and without notice.

3. Having regard to the above, there is even from perusal of the proceeding, there is nothing even by giving any show-cause notice or as to what are the violations contrary to the permission accorded, the said proceeding is cancelled, however it will not prevent the respondents to issue show-cause notice and after considering the reply, pass appropriate orders, if necessary, to cancel the license.

4. Accordingly, this writ petition is allowed. Miscellaneous petitions pending consideration, if any, in this case shall stand closed in consequence. No order as to costs.

DR.B.SIVA SANKARA RAO,J

16.06.2017
SS

