

THE HON'BLE SRI JUSTICE C. PRAVEEN KUMAR

WRIT PETITION No.21746 OF 2005

ORDER:

The present Writ Petition, under Article 226 of the Constitution of India, came to be filed questioning the impugned notice in Rc. No.402 of 2005, dated 15.09.2005, wherein the petitioner was directed to pay a sum of Rs.1,97,397/- for lifting the sand from Peddacheruvu of Siripuram Village, illegally for levelling her own land situated at Ravivalasa Village of Gantiyada Mandal.

2. The only ground urged by the learned counsel for the petitioner is that without giving any opportunity to represent the case, the impugned order came to be passed directing the petitioner to pay the abovementioned amount in default to initiate criminal action against the petitioner.

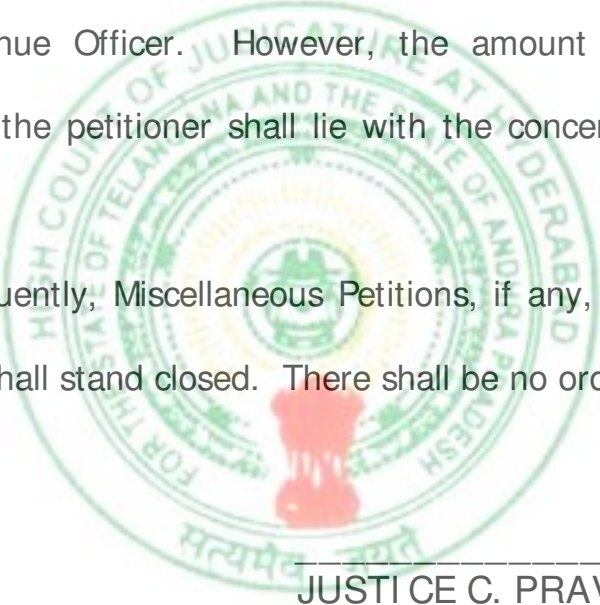
3. By an order dated 07.10.2005, this Court while issuing *rule nisi*, granted interim stay on condition of petitioner depositing a sum of Rs.25,000/- within a period of two (02) weeks from the date of receipt of a copy of the order and it is further stated that in default, the order shall stand vacated.

4. It is stated by the learned Government Pleader that the petitioner complied the condition of depositing Rs.25,000/-.

5. Having regard to the statement made across the Bar by the learned Government Pleader and a reading of the notice dated

15.09.2005 does not anywhere indicate issuing of notice to the petitioner before directing her to pay an amount of Rs.1,97,397/-, the Writ Petition is disposed of directing the petitioner to submit an explanation to the notice dated 15.09.2005 within a period of four (04) weeks from today and thereafter, the Mandal Revenue Officer, Gantyada Mandal, shall pass appropriate orders in accordance with law within a period of four (04) weeks thereafter. No steps shall be taken for recovery of the balance amount due under the notice or initiate any criminal action, till appropriate orders are passed by the Mandal Revenue Officer. However, the amount of Rs.25,000/- deposited by the petitioner shall lie with the concerned authorities till then.

Consequently, Miscellaneous Petitions, if any, pending in this writ petition shall stand closed. There shall be no order as to costs.



JUSTICE C. PRAVEEN KUMAR

Date:31.08.2017

Note: Furnish CC within a week  
(B/O)  
INL