

HON'BLE SRI JUSTICE A.RAJASHEKER REDDY

WRIT PETITION No.16654 and 18183 of 2016

COMMON ORDER:

WP.No.16654 OF 2016:

This petition is filed for a writ of *Mandamus* declaring the action of the 3rd respondent in issuing impugned proceedings vide ROC No.251/2016/B, dated 20.05.2016, wherein the petitioner was asked to attend the enquiry conducted by the respondent authorities within four days and to submit explanation.

WP.No.18183 OF 2016:

This petition is filed for a writ of *Mandamus* declaring the action of the 3rd respondent in not taking steps against the respondents 4 and 5 in pursuance to the notice dated 20.05.2016 for seizing of the bore well dug by them unauthorisedly, as illegal and arbitrary.

The petitioners in WP.No.16654 of 2016 are the respondents 4 and 5 in WP.No.18183 of 2016, and the petitioner in WP.No.18183 of 2016 is the respondent in WP.No.16654 of 2016.

Since the subject matter and parties of both the writ petitions is one and the same, both the writ petitions are heard together and disposed of by this common order.

The case of the petitioners in WP.No.16654 of 2016 is that after filing of writ petition they have filed explanation dated 25.05.2016 to the impugned proceedings dated 20.05.2016 and in pursuance to the said explanation the Tahasildar passed order dated 25.05.2016 vide proceedings in Rc.No.B/251/2016, wherein the Tahasildar ordered to seize the bore well of the petitioners.

The grievance in Writ Petition No.18183 of 2016 is that the official respondents have not taken any action on the representation of the petitioner against respondents 4 and 5. The cause in this writ petition does not survive as already action has been initiated against respondents 4 and 5, who are petitioners in WP.No.16654/2016, by order dated 25.05.2016.

The cause in writ petition No.16654 of 2016 also does not survive for adjudication, as the petitioner after filing of this writ petition, has already submitted explanation and in pursuance of the same the Tahasildar issued proceedings dated 25.05.2016 ordering to seize the bore well of the petitioners.

Accordingly, both the writ petitions are dismissed as infructuous. However, liberty is granted to the petitioners in WP.No.16654 of 2016 to challenge the proceedings dated

25.05.2016 issued by the Tahasildar, in accordance with law.

No order as to costs.

As a sequel thereto, miscellaneous petitions, if any,
pending shall stand closed.

A.RAJASHEKER REDDY, J

16.02.2017
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