

HONOURABLE SRI JUSTICE S. V. BHATT

WRIT PETITION No.22294 OF 2017

ORDER:

Heard learned counsel for the petitioner Mr.G. Subhash, Assistant Government Pleader for Revenue and Mr. Ravi G. learned counsel for the 5th respondent.

Learned counsel consent to disposing of the writ petition by this order.

The petitioner challenges the order in RCA No.240/ 2017, dated 14.06.2017, passed under A.P. Water, Land and Tree Act, 2002. The order, dated 14.06.2017, refers to complaint dated 13.06.2017 said to have been made by the 5th respondent. Thereafter, it refers to the report of Mandal Revenue Inspector, Saidapur, dated NIL. Now the order is passed on 14.06.2017. The reference to these dates disclose that the petitioner was not put on notice nor an opportunity is given either before passing the order or for seizing the borewell dug by petitioner in Survey No.468-1A, Cheekavolu Village, Sydapuram Mandal, SPS Nellore District.

The Assistant Government Pleader and the counsel for 5th respondent fairly stated that the order cannot be sustained and therefore consent to setting aside the order, dated 14.06.2017, remit the matter to the 3rd respondent for consideration afresh in accordance with law.

The order, dated 14.06.2017, is set aside and the matter is remitted to the 3rd respondent for consideration afresh and disposal in accordance with law.

The Writ Petition is ordered accordingly. The miscellaneous petitions, if any, filed in this writ petition shall also stand closed. There shall be no order as to costs.

S.V. BHATT, J

July 06, 2017.
KTL

