

HON'BLE SRI JUSTICE S.V. BHATT

W.P.No.18167 OF 2018

ORDER:

Heard Mr.C.Subodh for petitioner and the learned Assistant Government Pleader for respondents 1 to 5.

The petitioner challenges notice No.RC.A.191/2017 dated 21.05.2018 of the 4th respondent as illegal and violative of principles of natural justice. The petitioner challenges the last paragraph in the notice impugned by contending that a decision to close the bore well is taken and directed to be implemented within seven days. According to petitioner, the petitioner is required to be put on notice, consider explanation and pass orders. In the case on hand, nothing of the sort stated above was undertaken by 4th respondent.

Mr.A.V.Kondaiah, appearing for respondents, contends that it is a notice; the petitioner ought to have submitted explanation; the matter would have been enquired into and final orders passed.

The submissions of learned counsel appearing for the parties are noted and I have perused the record impugned notice.

The impugned notice grants seven days time to close the bore well. This is not a case of a direction issued by 4th respondent for closing down the subject bore well forthwith.

Therefore, this Court to meet the ends of justice and also to give effect to the scope and object of the Andhra Pradesh Water, Land and Trees Act, 2002 directs that the notice impugned in the

writ petition be treated as show cause notice and the petitioner is given two weeks' time from today to submit explanation to the grievance stated in the show cause notice. The 4th respondent disposes of the notice within four weeks thereafter. The interim order granted on 31.05.2018 is directed to be continued since the notice impugned in the writ petition is treated as show cause notice.

The writ petition is, accordingly, disposed of. There shall be no order as to costs.

Pending miscellaneous petitions, if any, stand closed.

21st June, 2018

Lrkm



S.V.BHATT, J