

HONOURABLE SMT. JUSTICE KONGARA VIJAYA LAKSHMI

WRIT PETITION NO: 12395 OF 2007

ORDER :

This writ petition is filed to declare the action of the respondents 1 and 2 in not taking action on the bore well of the respondent No.3, which was dug without prior permission and registration according to Section 8, 9 and 10 of the A.P. Water, Land and Trees Act 2002, as illegal, arbitrary and against the provisions of the Act.

2. In the affidavit filed along with the writ petition, it is stated that the third respondent has dug bore well three months back without complying with the provisions of A.P. Water Land and Trees Act, 2002, which is totally illegal and arbitrary and that the petitioner made a representation on 04/4/2007 to the official respondents. It is also stated that the Tahsildar, Sydhapuram Mandal, Nellore district passed an order on 22/5/2007 directing the third respondent to close the bore well with immediate effect. Thereafter, the official respondents did not do anything.

3. Counter-affidavit has been filed by the second respondent – Tahsildar, Sydhapuram Mandal, Nellore district stating that the petitioner and third respondent have not obtained any permission before digging their bore-wells nor registered their bore wells before the competent authority under the A.P. Water, Land and Trees Act, 2002; the then Tahsildar by orders dated 22/6/2007 ordered closure of the bore-well of the third respondent and for implementation of the said orders, the petitioner has filed the present writ petition and this Court by order dated 06/9/2007 granted interim direction in

W.P.M.P.No.15438 of 2007 and in pursuance of the same the bore well of the third respondent was closed; It is stated in the counter-affidavit that due to the closure of the bore well dug by the third respondent, the villagers are facing hardship for drinking water.

5. Heard the learned Government Pleader for Revenue. The learned Government Pleader also submitted written instructions dated 30/6/2018.

6. According to the written instructions of the Tahsildar dated 30/6/2018, the Gram Panchayat has laid a filter point for drinking water for the villagers of chaganam village and the said filter point is in good condition and supplying drinking water sufficiently to the chaganam village. As the bore-well dug by the third respondent is also closed and as the filter point was laid in the village for drinking water purpose, no further orders are necessary in the writ petition.

7. The writ petition is accordingly dismissed. No costs.

8. As a sequel, miscellaneous petitions if any, pending in this writ petition shall stand closed.

JUSTICE KONGARA VIJAYA LAKSHMI

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(DISMISSED)

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