

HON'BLE SRI JUSTICE C. PRAVEEN KUMAR

WRIT PETITION No.31609 OF 2018

ORDER:

The present writ petition came to be filed seeking to declare the action of the 3rd respondent-Tahsildar, in issuing the notice in Roc.No.244/2018 (D.T), dated 26.6.2018, for stopping of the Fish Aqua Culture of the petitioner, in an extent of Ac.1.00 cents of land in Sy.No.282/2A of Kommuchikkala Village, Poduru Mandal, Guntur District, without considering his representation dated 18.6.2018, as illegal and arbitrary.

Though the learned counsel for the petitioner, initially tried to contend that the 3rd respondent-Tahsildar, has no power to issue the impugned proceedings, but did not press the same. He only pleads that the petitioner has submitted his explanation on 18.6.2018 to the notice dated 2.6.2018 and without considering the same, the 3rd respondent, has issued another notice dated 26.6.2018 threatening to demolish the fish tanks of the petitioner, which is incorrect. But he could not place on record the explanation said to have been submitted.

Having regard to the facts and circumstances of the case, the writ petition is disposed of observing that if the petitioner has submitted the explanation to the notice dated 26.6.2018, as alleged now, the respondent-authorities, shall dispose of the same, in accordance with law, as early as possible, preferably within a period of three to four from today. In case, if no explanation is submitted by the petitioner to the notice dated 26.6.2018, petitioner shall submit his explanation to the notice dated 26.6.2018, within a period of one week from today, in which event, the respondent-authorities, shall pass appropriate orders, in accordance with law, after giving reasonable opportunity of hearing to the petitioner and all concerned, as early as possible, preferably within a period of two to three weeks thereafter.

With the above direction, the writ petition is disposed of. No order as to costs. As a sequel to disposal of the writ petition, WP.M.Ps if any pending shall stand closed.

Dated:05.09.2018.
Gk

C. PRAVEEN KUMAR, J



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