

HON' BLE SRI JUSTICE C. PRAVEEN KUMAR

WRIT PETITION No.31927 of 2018

ORDER:

1) Heard learned counsel for the petitioner and Government Pleader for Revenue (AP). With the consent of both the parties, the writ petition being heard at the admission stage itself.

2) The present writ petition came to be filed seeking issuance of writ of mandamus declaring the action of the sixth respondent in locking the petitioner's premises bearing Door No.5-186 of Chitrada Village, Pithapuram Mandal, East Godavari District on 10.08.2018 without issuing any notice, as arbitrary and illegal.

3) A perusal of the material on record would show that basing on a letter written by the Andhra Pradesh Pollution Control Board, Kakinada to the Superintendent of Police, marking a copy to the Tahsildar, asking to take action under Section 133 Cr.P.C., the Tahsildar locked the premises without initiating any proceedings under Section 133 Cr.P.C. Hence, there shall be a direction to the sixth respondent to remove the locks of the premises referred to above forthwith. However, the same shall not preclude the authorities in taking action under Section 133 of Cr.P.C.

4) With the above direction, the Writ Petition is disposed of. There shall be no order as to costs.

5) Consequently, miscellaneous petitions, if any, pending in this Writ Petition shall stand closed.

JUSTICE C. PRAVEEN KUMAR

10.09.2018
gkv

