

HON'BLE SRI JUSTICE C. PRAVEEN KUMAR

WRIT PETITION No. 33001 of 2018

ORDER:

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

2) The present writ petition came to be filed declaring the notice vide R.C.No.113/2018/B, dated 13.08.2018, issued by respondent No.3, in directing the petitioner to produce documents if any with regard to petitioner's bore well mentioned as Survey No.507 of Kallumarri village, H/o. Kallumarri village, Madakasira Mandal, Anantapur District and also making attempts for seizing of bore well situated in Survey No.567 admeasuring Acs.6.07 cents of Agrampalli village, H/o. Kallumarri village, Madakasira Mandal, Anantapur District, as illegal and arbitrary.

3) Learned counsel for the petitioner would submit that pursuant to the notice dated 13.08.2018, petitioner appeared before the authorities on 31.08.2018 and sought time for filing written explanation. But, without giving any time for filing written explanation, the authorities are trying to seize the bore well. According to the petitioner, bore well is not situated in Survey No.507, as mentioned in the impugned notice. Learned Government Pleader opposes the same.

4) Having regard to the fact that there are disputed questions of facts, interference under Article 226 of Constitution of India would not arise. However, the petitioner shall submit his explanation to the impugned notice, if no orders are passed, within a week from today and thereafter the Tahsildar shall dispose of the same, in accordance with law, as early as possible, preferably within a period of four weeks from the date of receipt of explanation. Till orders are passed on the explanation, *status-quo*, as on today shall be maintained with regard to functioning of the bore well, for a period of six weeks.

5) Accordingly, the Writ Petition is disposed of.

6) Miscellaneous petitions, pending if any, shall stand closed in the light of this final order. No order as to costs.

JUSTICE C. PRAVEEN KUMAR

14.09.2018

Note:

Issue CC by 17.09.2018.

B/o.

vhb