

HON' BLE SRI JUSTICE C. PRAVEEN KUMAR

WRIT PETITION No. 32799 of 2018

ORDER:

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

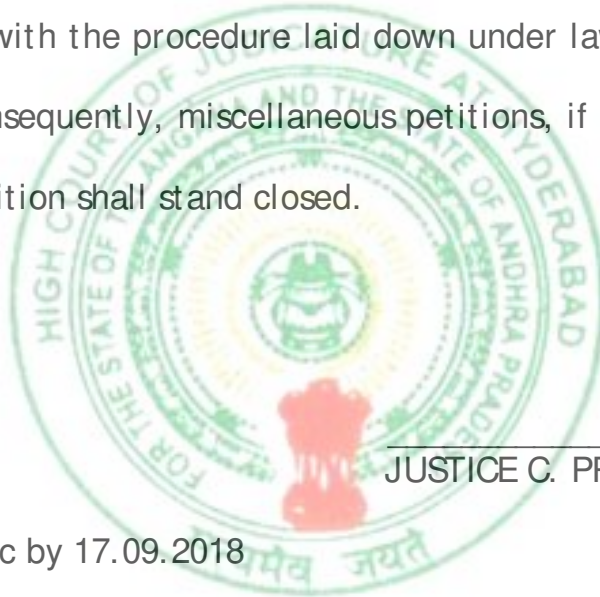
2. The present writ petition came to be filed seeking issuance of writ of mandamus declaring the action of respondent No.3 in interfering with the bore well of the petitioner, existing since 22 years with electric connection, for the lands in Survey No.411 to an extent of Ac.1.58 cents, Survey No. 412, to an extent of Ac.0.18 cents, Survey No. 410, to an extent of Ac.0.55 cents and Survey No. 412, to an extent of Ac.0.13 cents, at Sankeppalli Village, Mudigubba Mandal, Anantapur district, as illegal, arbitrary and violative of Article 300-A of the Constitution of India; and consequently direct the respondents not to interfere with the bore well of the petitioner, dug for the cultivation for the aforementioned lands.

3. The petitioner claims to be absolute owner and possessor of the lands in Survey Nos.411 to an extent of Ac.1.58 cents, 412, to an extent of Ac.0.18 cents, 410, to an extent of Ac.0.55 cents and 412, to an extent of Ac.0.13 cents, situated at Sankeppalli Village, Mudigubba Mandal, Anantapur district. It is stated that though the bore well is in existence in the said land since 22 years, the 3rd respondent is now trying to interfere with the operation of the

said bore well. The grievance of the petitioner is that only at the instance of the rivals in the village, the respondents are trying to seize the bore well, and if the bore well is seized, there is every possibility of his crops getting dried up.

4. The Government Pleader for Revenue would submit that any action taken by the respondents will be in accordance with law.

5. Recording the same, the present writ petition is disposed of, directing the respondents not to interfere with the functioning of the bore well in the aforementioned lands, except in accordance with the procedure laid down under law. No order as to costs. Consequently, miscellaneous petitions, if any, pending in this Writ Petition shall stand closed.



JUSTICE C. PRAVEEN KUMAR

12.09.2018

Note: Issue cc by 17.09.2018

(B.O)

DMG