

HON'BLE SRI JUSTICE A.V.SESHA SAI

Writ Petition No.34368 of 2018

ORDER:-

Heard Sri Siva, learned Counsel for the petitioner and learned Government Pleader for Home for the respondents.

The Mandal Executive Magistrate, Rajamahendravaram Urban Mandal, passed a conditional Order under Section 133 (1)(f)(v) of Cr.P.C., on 03.08.2018, asking the petitioner herein to fill up the quarry pits, while further asking the petitioner herein to appear for enquiry by way of filing the claims, if any.

Even according to the petitioner, the enquiry is still pending consideration before the Mandal Executive Magistrate and no final orders are passed under the above said provision of law. It is also the submission of the learned Counsel for the petitioner that the petitioner herein filed objections/explanation to the impugned Order and the petitioner also may be permitted to file additional objections/explanation.

Since the Order impugned is only a conditional Order, subject to further enquiry before the Mandal Executive Magistrate, this Court is not inclined to go into the factual aspects of the matter. In view of the above, the Writ Petition is disposed of, keeping it open for the petitioner to file additional objections/explanation, if any, within a period of one week from the date of receipt of a copy of this Order, along with supporting documents, and the Mandal Executive Magistrate shall pass appropriate Orders, strictly in accordance with law, as expeditiously as possible, preferably within a period of one month thereafter.

As sequel to it, Miscellaneous Petitions, if any pending, shall stand dismissed. No order as to costs.

A.V.Sesha Sai, J

13th November, 2018

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