

THE HON'BLE SRI JUSTICE SANJAY KUMAR

WRIT PETITION No.941 of 2019

ORDER:

The grievance of the petitioner is that the Tahsildar, Penpahad Mandal, Suryapet District, is not taking action with regard to the well dug by the third respondent and the motor installed by him in Sy.No.111 of Nagulapati Annaram Village, Penpahad Mandal, Suryapet District.

It is the case of the petitioner that this activity on the part of the third respondent is contrary to the provisions of the Water, Land and Trees Act, 2002. It appears that the petitioner filed a complaint in this regard in April, 2017, and the District Collector, Suryapet, directed the Tahsildar, Penpahad Mandal, to take appropriate action thereon. The complaint of the petitioner presently is that no steps have been taken by the Tahsildar, Penpahad Mandal, pursuant thereto.

In the light of the order proposed to be passed by this Court without going into the merits of the matter, it is not necessary to put the third respondent on notice at this stage or afford him an opportunity of hearing.

As the Tahsildar, Penpahad Mandal, has already been directed by his superior authority to enquire into the complaint made by the petitioner against the third respondent, it is for the Tahsildar to take appropriate action, if warranted, after making an enquiry into the said complaint. Needless to state, the Tahsildar would have to give an opportunity of hearing to all parties concerned.

The writ petition is accordingly disposed of directing the Tahsildar, Penpahad Mandal, Suryapet District, to take appropriate action upon the petitioner's complaint, as directed by the District Collector, Suryapet, under his letter dated 14.09.2018, expeditiously and in any event, not

later than four weeks from the date of receipt of a copy of this order.
Such action shall be taken after giving notice and due opportunity of
hearing to all affected parties.

Pending miscellaneous petitions, if any, shall stand closed in the
light of this final order. No order as to costs.

JUSTICE SANJAY KUMAR

Date:06.02.2019

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