

HONOURABLE SRI JUSTICE SANJAY KUMAR

WRIT PETITION No.5396 of 2014

ORDER:

1 The prayer of the petitioner in this case reads as under:

“For the reasons stated in the accompanying affidavit the above named petitioner prays that this Hon’ble court may be pleased to issue an appropriate Writ, Order, or Direction more particularly one in the nature of Writ of Mandamus declaring the action of respondent authorities in initiating the action against the petitioner from using the bore well situated in Sy.No.328/1 for irrigating his lands an extent of Ac.1-26 gts of Dharmaram Village, Konaraopet Mandal, Karimnagar District, as illegal, arbitrary, without jurisdiction, unconstitutional, violative of principles of natural justice and apart from violative of Article 14 of Constitution of India consequently direct the respondents not to prevent the petitioner from using the bore well and to pass such other order or orders as this Hon’ble Court may deem fit and proper in the circumstances of the case.”

2 By order dated 04.03.2014, the erstwhile High Court directed the Tahsildar, Konaraopet Mandal, Karimnagar District, not to interfere with the bore well of the petitioner in Sy.No.328/1 of Dharmaram Village, Konaraopet Mandal, Karimnagar District, except after giving notice to him.

3 This order was extended for a period of eight weeks by order dated 04.07.2014, but as there was no extension thereafter, it ceased to operate. No counter affidavit has been filed by respondents till date.

4 The sinking and utilisation of bore wells would be governed by the provisions of Andhra Pradesh Water, Land and Trees Act, 2002 (for brevity ‘WALTA Act’). In the event there is any violation of any provision of the said Act, it would be for the authorities concerned to take steps thereon in accordance with the due procedure.

5 The writ petition is accordingly closed, leaving it open to the authorities concerned to take steps as per the provisions of the

WALTA Act, in the event the same is warranted in the case on hand.

6 Miscellaneous Petitions pending in this Writ Petition shall stand closed in the light of this final order. No order as to costs.

24th January, 2019
Kvsn

JUSTICE SANJAY KUMAR