

HON'BLE SRI JUSTICE CHALLA KODANDA RAM

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W.P.No. 6640 of 2015

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DATE: 17.03.2015

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Between:

Jogu Narsaiah

and eleven others .. Petitioners

And

1. The State of Telangana
2. The District Collector
3. The Revenue Divisional Officer
4. The Tahsildar
5. Sri Rangu Narsaiah .. Respondents

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ORDER:-

The petitioners assert that being land losers of Mid Manair Project, Karimnagar, they filed many representations to the revenue authorities to grant pattas in their favour in respect of the lands in Sy.Nos.611, 612 and 613 situated in Cheerlavanha village, Siricilla Mandal, Karimnagar District and several persons including the 5th respondent created false pattas by encroaching the Government

land in Sy.No.613. While so, it is stated that some of the villagers along with petitioner No.12 made a complaint to the revenue authorities to take action against the illegal encroachers, upon which, the 4th respondent issued notices dated 11.04.2012 to all the encroachers. Then, the 5th respondent filed O.S.No. 73 of 2012 on the file of the Court of the Senior Civil Judge, Siricilla seeking perpetual injunction against Petitioner No.12 and others, and during trial, the 4th respondent-Tahsildar and Deputy Tahsildar, who were examined as PW2 and DW2 respectively, gave categorical evidence that no patta was granted to the 5th respondent and the patta alleged to have been obtained in 1996 in an extent of Ac.4.00 cents in Sy.No.613 and produced by him is false patta and wrongly recorded in the revenue records. However, the trial Court, by judgment dated 28.03.2014, decreed the suit. Further, the pahanies prior to 2002-2003 and 2003-2004 do not disclose the name of the 5th respondent in the patta column. While so, the petitioners made a representation dated 18.06.2012 to the

3rd respondent-Revenue Divisional Officer stating that some persons illegally encroached the Government land and necessary action may be initiated against them, based on which, the Tahsildar made a complaint to the Sub-Inspector of Police, Siricilla to take action against the illegal encroachers, but no action has been taken thereon. Thereafter, the petitioner No.12 and some of the villagers filed complaints on 16.06.2014 and 23.06.2014 to the 2nd respondent-District Collector to take action against the illegal encroachers, based on which, the 3rd respondent-Revenue Divisional Officer issued proceedings dated 23.06.2014 directing the Tahsildar to conduct enquiry and take action against them. Now, the petitioners' grievance is that the 4th respondent – Tahsildar has neither conducted any enquiry nor taken any action against the illegal encroachers in pursuance of the proceedings of the 3rd respondent. Hence, the present writ petition is filed seeking appropriate directions.

It is an undisputed fact that the Tahsildar deposed in O.S.No.

73 of 2012 that notices dated 11.04.2012 were issued to the illegal encroachers of the Government land in

Sy.No.613, which is sub-divided into Sy.No.613/48. This piece of evidence confirms that there are illegal encroachments in Sy.No.613. Having regard to the nature of relief sought for by the petitioners, this Court, without going into the merits of the matter, deems it appropriate to disposed of the writ petition with the following direction:

“Respondent Nos.2 to 4 are directed to examine the complaints said to have been filed by the petitioners on 16.06.2014 and 23.06.2014 and pass appropriate orders thereon as per law and then take action in accordance therewith.”

With the above direction, the writ petition is disposed of. No order as to costs.

As a sequel to the disposal of the writ petition, Miscellaneous Petitions, if any pending, shall stand disposed of as infructuous.

CHALLA KODANDA RAM, J

17.03.2015

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