

IN THE HIGH COURT OF JUDICATURE AT HYDERABAD
FOR THE STATE OF TELANGANA AND THE STATE OF ANDHRA PRADESH

TUESDAY THIS THE TWENTY FOURTH DAY OF FEBRUARY
TWO THOUSAND AND FIFTEEN

PRESENT

THE HON'BLE SRI JUSTICE CHALLA KODANDA RAM

WRIT PETITION No.4079 of 2015

Between:

Karam Kannaiah and 2 others

..... PETITIONER

And

The State of Andhra Pradesh,
Rep.by its Principal Secretary,
Tribal Welfare Development,
Secretariat Building,
Hyderabad and 4 others

.....RESPONDENTS

The Court made the following:

THE HON'BLE SRI JUSTICE CHALLA KODANDA RAM

WRIT PETITION No.4079 of 2015

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ORDER:

The petitioners admit that they had earlier approached this Court by filing W.P.No.31382 of 2013 and this Court passed an order on 02.12.2013. The grievance of the petitioners is that in spite of the orders dated 02.12.2013 passed in W.P.No.31382 of 2013, no action has been taken by the respondent authorities in relation to the

complaint made by the petitioners in the year 2011 that non-tribals are in occupation of the land in the tribal area.

This Court on earlier occasion had found fault with the proceedings dated 10.01.2013 and held a direction to evict the petitioner could not be given by respondent No.4 without any enquiry. However, liberty was given to the respondents, particularly to the 4th respondent-Additional Agent to Government and Project Officer, ITDA, Bhadrachalam, Khammam District to examine the representation referred to in proceedings dated 10.01.2013 and after satisfying on enquiry, necessary steps may be taken with respect to the representation of the complainant therein.

Now the present writ petition is filed virtually seeking the similar relief. However, the learned counsel for the petitioners submits that in view of the fact the village Koyamadaram of Velairpadu Mandal is now transferred to the jurisdiction of West Godavari District from Khammam District and even as on today no progress has been made, the petitioner seeks a direction to the 4th respondent to take necessary steps.

The learned Government Pleader on instructions submits that as a matter of fact, the 4th respondent is actively considering the representations, and in view of the State bifurcation, there is an element of time lag in considering the various aspects, and further, the 4th respondent had received the papers only on 21.01.2015, and in a span of three months necessary enquiry would be completed.

Recording the submission of the learned Government Pleader, the Writ Petition is disposed of, with a direction to the 4th respondent to complete the process of the enquiry within a period of 5 (five) months from the date of receipt of a copy of the order without fail. There shall be no order as to costs.

Pending miscellaneous applications, if any, shall stand closed
in consequence.

CHALLA KODANDA RAM,J

Date: 24.02.2015
Dsr