

THE HON'BLE SRI JUSTICE C.V. NAGARJUNA REDDY

WRIT PETITION NO.36749 OF 2012

DATED:27-8-2015

Between:

M. Susheela
and others

... Petitioners

And

The State of Andhra Pradesh
Rep. by its Principal Secretary
Forest Department
Secretariat
Hyderabad
and others

... Respondents

COUNSEL FOR THE PETITIONERS: Mr. M. Rajender Reddy

COUNSEL FOR RESPONDENT NOS.1 to 3: G.P. for Forests (TS)

COUNSEL FOR RESPONDENT NOS.4 and 5: G.P. for Revenue (TS)

THE COURT MADE THE FOLLOWING:

ORDER:

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It has become a common feature in the States of Telangana and Andhra Pradesh that the Forest Department and the Revenue Department are at loggerheads in respect of several extents of lands. While the Revenue Department claims a particular land as non-forest land, the Forest Department takes a converse position. Sandwiched are the innocent citizens between these two departments. The present case is an instance of such dispute between the Revenue and the Forest Departments.

This Court feels that it is high time that the Revenue and the Forest Departments sink their differences by holding joint surveys wherever it is necessary and resolve the disputes as soon as possible, lest the innocent citizens would suffer.

Admittedly the petitioners were assigned Ac.1.00 of land each along with about 160 other persons by the Revenue Department. However, the Forest Department has taken the stand that these lands form part of Sirikonda Reserve Forest Block.

As there is a serious dispute as to whether the land in Sy. No.532 of Sirikonda Village, part of which has been assigned to the petitioners, is part of Sirikonda Reserve Forest or not, the District Collector, Nizamabad, is directed to get a joint survey held by involving respondent No.2, i.e., the Divisional Forest Officer, Kamareddy Division, after notice to the petitioners. If it is found that the land assigned to the petitioners forms part of Sirikonda Reserve Forest, the Revenue Department shall allot alternative land to the petitioners, before cancelling the assignments. On such allotment, the petitioners shall vacate the lands in dispute assigned to them. On the contrary, if it is found that the lands assigned to the petitioners fall

outside the Reserve Forest, the Forest Department shall not interfere with their possession of the said land.

Before drawing curtains on this case, I feel that time has come for both the Revenue and Forest Departments to come to the negotiating table to sort out the disputes. The Principal Secretary, Revenue, State of Telangana, and the Principal Chief Conservator of Forests of the State of Telangana are directed to hold a joint Meeting of both the departments, identify the lands in dispute and find a lasting solution for this vexed problem as soon as possible and preferably within four months from the date of receipt of this order.

Subject to the above directions, the writ petition is disposed of.

As a sequel to disposal of the writ petition, W.P.M.P. No.46645 of 2012 and W.V.M.P. No.465 of 2013 shall stand disposed of as infructuous.

C.V. NAGARJUNA REDDY, J

27-8-2015

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Note: The Registry shall forthwith send copies of Order to the Principal Secretary, Revenue, State of Telangana, and the Principal Chief Conservator of Forests, State of Telangana.

(B.O.)

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