

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

WRIT PETITION NO.2144 OF 2011

DATED:20-8-2015

Between:

Kathi Venkataiah
and others

... Petitioners

And

Government of Andhra Pradesh
Rep. by its Secretary
Forest and Environment Department
Secretariat
Hyderabad
and others

... Respondents

... Respondents

COUNSEL FOR THE PETITIONER: Mr. K. Muralidhar Reddy

COUNSEL FOR RESPONDENT NOS.1 to 5: A.G.P. for Forests (AP)
COUNSEL FOR RESPONDENT NOS.6 and 7: A.G.P. for Revenue
(AP)

THE COURT MADE THE FOLLOWING:

ORDER:

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This writ petition is filed with the grievance that though the petitioners have been granted house site pattas and the government has sanctioned funds under the weaker sections' housing programme, the respondents are trying to evict them allegedly on the ground that the properties are situated within reserve forest.

Respondent No.5 has issued separate but identical notices to the petitioners to show cause as to why they shall not be evicted under Section 20(3)(i) of the Andhra Pradesh Forest Act, 1967. The petitioners have submitted a common reply. Though the counter affidavit is silent on the explanation of the petitioners to the show cause notice, the learned Assistant Government Pleader for Forests (AP), on instructions, submitted that the representations of the petitioners are pending and no final order in pursuance of the notices issued by respondent No.5 have been passed.

In the light of the above facts and circumstances of the case, respondent No.5 is directed to hold a detailed enquiry and pass an appropriate order and communicate the same to the petitioners. Till this process is completed, the respondents shall not interfere with the possession and enjoyment of the properties in occupation of the petitioners.

The writ petition is accordingly disposed of.

As a sequel to disposal of the writ petition, W.P.M.P. No.2660 of 2011 and W.V.M.P. No.1264 of 2011 shall stand disposed of as infructuous.

C.V. NAGARJUNA REDDY, J

20-8-2015

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