

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

WRIT PETITION No.40538 of 2012

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DATE: 04.06.2015

Between:

Lagu Mangapathi @ James

...Petitioner

and

The Government of Andhra Pradesh,

and others

...Respondents

COUNSEL FOR THE PETITIONER : SRI CH.VENKATA NARAYANA

FOR SRI B.DEVANAND

COUNSEL FOR THE RESPONDENTS : AGP FOR FORESTS (AP)

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

WRIT PETITION No.40538 of 2012

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ORDER:

This writ petition is filed with the grievance that though nearly three decades have passed after Writ Petition No.6177 of 1981 was disposed of by this Court, respondent No.2 – Forest Settlement Officer, Vijayawada, Krishna District, has not completed enquiry and passed appropriate order in respect of Acs.10.00 cents of land in R.S.No.454/1 of Katrenipadu Village, Musunuru Mandal, Krishna District.

Respondent No.2, before whom the enquiry is pending and against whom the petitioner has expressed his grievance, has remained silent.

The dispute in this case pertains to inclusion of the above-mentioned land in the reserve forest. The order dated 15.02.1980 passed by respondent No.2 rejecting the claim of the petitioner for exclusion of the land from the reserve forest was confirmed in A.S.No.66 of 1980 by judgment, dated 31.10.1980 of the District Court, Krishna at Machilipatnam. Writ Petition No.6177 of 1981 filed against the said judgment was allowed by this Court vide order, dated 06.02.1987 and the enquiry was remanded to respondent No.2 for determination of

the objections in the light of the decision in Writ Appeal No.1123 of 1982 and Writ Petition No.6419 of 1980 dated 01.08.1986.

At the hearing, the learned Assistant Government Pleader for Forests (Andhra Pradesh) has submitted that the enquiry is still pending before respondent No.2. In my opinion, it is a matter of grave concern that despite the litigation hanging fire for nearly three decades, respondent No.2 has not found it expedient to complete the enquiry and pass an order. This laxity on the part of respondent No.2 cannot be appreciated. Therefore, respondent No.2 is directed to complete the enquiry after notice to the petitioner, pass a final order and communicate the same to him within a period of three 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 writ petition, WPMP.No.51397 of 2012 filed by the petitioner for interim relief is disposed of as infructuous.

C.V.NAGARJUNA REDDY, J

4th JUNE, 2015.

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