

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

WRIT PETITION No. 22667 of 2015

BETWEEN

Mandli Venkatwarlu and ors

...Petitioners

And

The State of Andhra Pradesh,
Rep. by its Principal Secretary,
Environment Forest Science & Technology,
Secretariat, Hyderabad and ors.

...Respondents

DATE OF JUDGMENT PRONOUNCED: 22.07.2015.

SUBMITTED FOR APPROVAL:

THE HON'BLE SRI JUSTICE A. RAMALINGESWARA RAO

1. Whether reports of Local newspapers
May be allowed to see the judgments?
YES/NO

2. Whether the copies of judgments may be
Marked to Law Reporters/Journals.
YES/NO

3. Whether Their Ladyship/Lordship wish to
See the fair copy of the Judgment ?
YES/NO.

HONOURABLE SRI JUSTICE A. RAMALINGESWARA RAO

WRIT PETITION No.22667 of 2015.

ORDER:

Heard learned Counsel for the petitioners and learned Government Pleader for the respondents.

The petitioners claim that they belong to Scheduled Caste Community. Though they are residents of Chenchugudem, but they are residing in Kothapalli village, Macherla Mandal, Guntur District. When the they were sought to be evicted from their huts, they filed Writ Petition No. 27604 of 2008 and this Court disposed of the same by order dated 18.12.2008 giving liberty to them to make a claim before the Grama Sabha/Authority to initiate the process for determining their nature of rights under Section 6 of the Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006 (for short 'the Act') if not already made, within a period of four weeks from the date of the said order. Thereafter a notice was issued by the Forest Range Officer on 18.01.2009 acknowledging the receipt of applications of eleven petitioners and intimating that in respect of other sixteen members they can take further steps in accordance with the provisions of the Act. The present Writ Petition is filed by eleven petitioners . They state that they submitted a representation along with others to the respondents on 23.1.2009 seeking to recognize their nature orights. When the said representation is not considered, the present Writ

Petition is filed.

In the circumstances, Respondents 5 and 6 shall verify the representation of the petitioners and consider their case for further action in accordance with the provisions of the Act and till such time, status quo obtaining as on today shall be maintained in respect of the petitioners, provided that if their rights are not declared already on the claim made by them.

The Writ Petition is accordingly disposed of. Miscellaneous petitions pending consideration if any in the Writ Petition shall stand closed in consequence. No order as to costs.

JUSTICE A. RAMALINGESWARA RAO

DATED 22nd JULY, 2015.

Msnr_x