

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

WRIT PETITION No.34160 of 2011

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08.07.2015

Between:

The Divisional Forest Officer, Vijayawada

...Petitioner

And

Punyamurthula Venkata Raghava Rao and others

...Respondents

Counsel for the petitioner: Assistant Government Pleader
for Forests

Counsel for the respondents: --

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The Court made the following:

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ORDER:

This writ petition is filed for the following substantive relief:

“....to issue an appropriate writ or direction, more particularly one in the nature of Writ of Certiorari calling for the records relating to and connected with A.S.No.97/1995, dt: 06.08.1996 on the file of the Hon’ble District Judge, Krishna District, Machilipatnam and to quash or set aside the order dt: 06.08.1996 passed in A.S.No.97/1995 on the file of the Hon’ble District Judge, Krishna District, Machilipatnam and pass such other order or orders....”

This Court, on 24.06.2015, passed the following order:

“Though personal notice was ordered as far back as 12.06.2012, service has not been effected on the respondents. This Court cannot make an eternal wait for service of notices on the respondents. Therefore, the case is adjourned to 08.07.2015, by which date, the petitioner shall file either the proof of service or an application for permission to serve the notices on the respondents through substituted service viz., by publication of notice in the newspapers, failing which, the writ petition would automatically stand dismissed without reference to the Court.”

After the case was last adjourned, the learned Government Pleader for Forests has filed a purported memo in proof of service, wherein it is stated that notices have been served on respondent Nos.1 to 3. Along with the said memo, report of Deputy Range Officer has been filed. A perusal of this report shows that notices are not served on the respondents and on the contrary, they were handed over to the brother of one Mr.P.V.Raghava Rao, who is stated to be the lawyer of respondent Nos.1 to 3. It is, therefore, clear from this fact that the memo filed by the learned Government Pleader stating that notices have been served on respondent Nos.1 to 3 is incorrect and contrary to the contents of the report of the Deputy Range Officer.

As neither the proof of service on the respondents nor an

application for substituted service has been filed as directed by this Court in the above reproduced order, the Writ Petition stood dismissed for non-prosecution.

As a sequel to dismissal of the writ petition, W.P.M.P.No.42514 of 2011 filed by the petitioner for interim relief shall stand dismissed as infructuous.

C.V.NAGARJUNA REDDY, J

08th July, 2015
GHN