

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

WRIT PETITION No.19406 of 2015

BETWEEN:

Mallireddy Satyanarayana Murthy

.. Petitioner

AND

The State of Andhra Pradesh,
represented by its Principal Secretary,
Forest Department, Secretariat Building,
Hyderabad,
and 2 others.

.. Respondents

DATE OF JUDGMENT PRONOUNCED: 11.08.2015.

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

THE HON'BLE SRI JUSTICE A. RAMALINGESWARA RAO

Writ Petition No.19406 of 2015

ORDER:

Heard the learned counsel for the petitioner and the learned Government Pleader for Forests appearing for the respondents.

The case of the petitioner is that one Raja Madhuveeti granted lease in his favour and two others to an extent of 100 acres situated at Tatiwada village, now known as Tatikota Village, in Y. Ramavaram Mandal of East Godavari District. Being the tenants, they were cultivating the land as on the date of coming into force of the Andhra Pradesh Muttas (Abolition and Conversion into Ryotwari) Regulation No.2, 1969. The Settlement Officer, who was appointed consequent to the said Regulation, granted ryotwari patta in favour of the petitioner and two others, by proceedings dated 24.02.1983. Their names were also mutated in the revenue records. In the year 1994, they applied for permission for felling the trees and consequently, joint inspection was conducted on 30.04.2007 by the revenue officials to identify the land. When no permission was granted, again the petitioner submitted another application on 23.01.2009 to the third respondent-District Forest Officer, Kakinada requesting for grant of permission. Later, the Revenue Divisional Officer, Addatheegala submitted a report on 13.02.2009 and in spite of the recommendation by the other authorities, when no action was taken, the petitioner submitted another representation on 04.06.2014 to the third respondent to grant permission for felling the trees in an extent of 40 acres. After receipt of the said representation, the Deputy Range Officer, Addatheegala Range inspected the property and submitted a report

on 12.11.2014 stating that the trees are in patta land and not in forest land. When no action was taken thereafter, the present writ petition is filed.

In view of the nature of relief sought for in the writ petition, without going into the merits of the case, the writ petition is disposed of directing the respondents 2 & 3 to consider the representation of the petitioner dated 04.06.2014 submitted to the third respondent in respect of the land admeasuring 40 acres in Survey No.13/1P situated at Tatikota Village in Y. Ramavaram Mandal of East Godavari District, in accordance with law and dispose of the same, within three months from the date of receipt of a copy of this order. There shall be no order as to costs. Miscellaneous Petitions, if any pending in this writ petition, shall stand closed.

A. RAMALINGESWARA RAO, J

Date: 11.08.2015

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