

THE HON'BLE SRI JUSTICE A.RAJASHEKER REDDY

W.P.NO.30560 OF 2016

ORDER

The claim of the petitioner is that he has purchased an extent of Acs.5-00 guntas in Sy.No.582/3/2 and Acs.5-00 guntas in Sy.No.582/2/1 of Tallapenta village, Penubally Mandal, Khammam District under sale deed dated 25.12.1966 and the said sale was regularized by the 3rd respondent – Tahsildar by proceedings dated 17.9.2012 and certificate in Form XIII-B under Section 5-A(4) of the Andhra Pradesh Rights in Land and Pattadar Pass Books Act, 1971 and the Rules made there under, was issued. The further claim of the petitioner is that the respondent authorities and their staff tried to plant trees in their patta land and tried to dispossess them, hence they approached the concerned authority and made representation on 14.7.2016 to fix the boundaries. Aggrieved by the action of the respondents in trying to dispossess the petitioner from the subject land without following the due process of law, the present writ petition is filed.

The learned counsel for the petitioner and the learned Government Pleader for Forests and the learned Assistant Government Pleader for Revenue submitted that this court in similar facts and circumstances in W.P.No.25781/2016 dated 18.8.2016 disposed of the writ petition by directing the 2nd respondent – District Collector to take a decision to cause joint survey to fix boundaries and till then status quo was directed to be maintained. The said direction for better appreciation is extracted as under:

“In view of the same, the 2nd respondent is directed to take a decision on the application filed by the petitioner for conducting joint survey in the presence of the forest officials and the petitioner for fixing the boundaries of the forest land, after issuing notice to respondents 5 and 6. Till such time, status quo obtained as on today shall be maintained by both the parties.”

In view of the above, the present writ petition is disposed of in terms of the order dated 18.8.2016 in W.P.No.25781/2016. The said exercise shall be completed within a period of four months from the date of receipt of a copy of this order.

No order as to costs.

Miscellaneous petitions pending if any, shall stand closed.

AVS

14—09—2016