

HON'BLE SRI JUSTICE A. RAMALINGESWARA RAO

Writ Petition No. 11476 of 2012

Order:

This writ petition was filed challenging the inaction of the respondents 1 to 5 in providing security to the lives of the members of the petitioners societies and properties of the petitioners in an extent of Ac.249.74 cents of salt land in Survey Nos.458 and 461 of Gogulapalli village, Allur Mandal, SPSR Nellore District, including the installations therein and to enable the petitioners to continue to carry on salt cultivation.

2. The petitioners claim that there is an extent of 1800 Acres of waste land in Survey Nos.458 and 461 of Gogulapalli village classified as Uppupara Poramboke which was not fit for cultivation. The petitioners and others occupied small extents of land and they have been cultivating the salt. The then Tahsildar submitted proposals for grant of long lease in favour of certain societies for salt cultivation and the Revenue Divisional Officer recommended for the same. The recommendations of the Revenue Divisional Officer in turn were forwarded to the Government by the District Collector, Nellore. On recommendation of the Commissioner of Land Revenue, the Government issued GO Ms No.1852, Revenue (F) Department, dated 02.12.1982, granting lease in favour of the petitioners societies in various extents of land. They have been paying the lease amounts also. In the year 2007 they applied for renewal of the lease, but due to pendency of the proposals for assignment of the land, the renewal was not granted. When the petitioners were sought to be dispossessed, they filed WP Nos.28914, 28997, 30820, 29136, 29132 and 29131 of 2011 and in those writ petitions this Court granted orders of *status quo*. The said writ petitions were ultimately disposed of with the following directions.

“a) The Government of AP, represented by its

Secretary, Revenue Department, shall process the the applications submitted by the societies for renewal, or for grant of fresh leases, in respect of land in Survey No.461, for extraction of salt, in accordance with the relevant provisions of law;

b) The individual applicants seeking assignment of land in that survey number, can either become the members of existing societies, or may form a separate society. As and when they make applications, the same shall be considered in accordance with law.

c) If the 1st respondent notices that any of the societies that made applications are not genuine or not functional, it shall be open to him to take necessary steps, after issuing notice to the concerned societies; and

d) The societies shall be entitled to carry on the activity of continuing salt, pending disposal of the applications for renewal subject to their complying with the relevant conditions.”

3. Thereafter, Government issued GO Ms. No.513, Revenue (Assignment-II) Department, dated 27.09.2013, granting lease in favour of eight (8) Salt Societies on payment of annual lease rent of Rs.2400/- per acre for a period of 25 years. While so, this writ petition was filed challenging the inaction of the respondents 1 to 5 as aforesaid.

4. This Court, while ordering notice before admission, by an order dated 25.04.2012, directed the respondents 1 to 3 to ensure that the salt activity undertaken by the petitioners shall not be disturbed by the respondents 6 to 28 or any other persons, unless the orders of assignment or alienation were issued in favour of third parties and possession is delivered to them in accordance with law.

5. The Sub-Inspector of Police, Allur Police Station, SPSR Nellore District, in his written instructions to the learned Government Pleader for Home, stated that pursuant to the said order of this Court, the police picket was posted at the salt lands of the petitioners societies and the

respondents 6 to 28 have not been interfering.

6. In the circumstances, this Writ Petition is closed by recording the statement made by the Sub-Inspector of Police, Allur Police Station, SPSR Nellore District, as aforesaid and if there is any interference from the third parties in the legal activity of the petitioners, the petitioners are at liberty to file appropriate complaint or initiate civil proceedings against the interfering parties in accordance with law. There shall be no order as to costs.

7. As a sequel thereto, the miscellaneous petitions, if any, pending in this Writ Petition shall stand closed.

A.
Date: 22.02.2016
Nsr

RAMALINGESWARA RAO, J.