

THE HON'BLE SRI JUSTICE C. PRAVEEN KUMAR

WRIT PETITION No.43047 OF 2016

ORDER:

Heard the learned counsel for the petitioners and the learned Government Pleader for Revenue appearing for respondents. With their consent, the present writ petition is disposed of at the admission stage.

2. The present writ petition came to be filed with the following prayer:

“...to issue an Order, Direction or Writ more particularly one in the nature of Writ of Mandamus, declaring the action of the Respondents in not considering the series of representations made by the petitioners requesting to grant assignment Pattas/Rights Certificates in respect of the agricultural lands admeasuring approximately total extent of Ac. 55-00 guntas to the credit of all the petitioners, bearing Survey No. 1/1, Ashoknagar village of Pocharam Shivar, H/o Budharaopet Village of Khanapur Mandal, Warangal District, as arbitrary, unjust unreasonable, and opposed to the Principles of Natural Justice besides being violative of Fundamental Rights guaranteed under the Constitution of India and consequently direct the Respondents to complete the process of alienation proposals forthwith.”

3. Though various grounds are raised in the writ petition, learned counsel for the petitioners restricts his prayer seeking a direction to the respondents to consider the representations, more particularly the representation made in the month of November, 2016, at the earliest.

4. Learned Government Pleader would submit that he has no objection for the same, provided the said representation is still pending consideration.

5. It is to be noted that earlier, the same petitioners filed W.P.No.14740 of 2004. This Court by an order dated 19.08.2004 disposed of the said writ petition holding as under:

“In view of the aforesaid submissions made by the learned counsel for the petitioners and also in view of the facts and circumstances of the case, the first respondent is directed to issue necessary direction to the revenue officials to demarcate the land of Revenue survey number and Reserve forest area in consultation with forest officials over the land, which is in occupation of petitioners, if any.”

6. It is said that in spite of the said orders of this Court, till date no survey has been conducted by the Forest Department. The said fact of non-conducting survey is clear from the representations made by the petitioners.

7. Having regard to the above, the Writ Petition is disposed of directing the authorities to consider the representation made by the petitioners dated 07.11.2016, if the same is still pending consideration and pass appropriate orders thereon, in accordance with law and also by taking into consideration the order passed by this Court in W.P.No.14720 of 2004, as early as possible, preferably within a period of three (03) months from the date of receipt of a copy of this order. Registry is directed to mark a copy of the order

to the Forest Department. Sub-Divisional Forest Officer, Narsampet,
Warangal District.

Consequently, Miscellaneous Petitions, if any, pending in this
writ petition shall stand closed. There shall be no order as to costs.

JUSTICE C. PRAVEEN KUMAR

Date:13.12.2016
INL

