

THE HON'BLE SRI JUSTICE P. NAVEEN RAO

WRIT PETITION No.26028 OF 2017

Dated:12.09.2017

Between:

Ravula Kumara Swamy, S/o. Mondaiah,
Aged 35 years, Occ: Agriculturist,
R/o. Ippalalli, Mutharam (Manthani)
Mandal, Peddapalli District and others

.. Petitioners

And

The State of Telangana, rep., by its
Principal Secretary, Revenue Department,
Secretariat, Hyderabad and others

.. Respondents



The Court made the following:

THE HON'BLE SRI JUSTICE P. NAVEEN RAO**WRIT PETITION No.26028 OF 2017****ORDER:**

Petitioners claim that they are the owners and possessors of agricultural land of respective extents, as mentioned in paragraph No.2 of the affidavit filed in support of the Writ Petition, in Survey Nos.411, 412, 415, 416 and 378 of Ippalapally Village of Mutharam (Manthani) Mandal, Peddapalli District. Alleging that respondents 3 and 4 are taking up plantation of trees in the private patta lands under 'Haritha Haram' programme, and the same is illegal and amounts to arbitrary exercise of power and no such activity can be taken up without the consent/approval of the owners of the lands, this Writ Petition is filed.

2. Para-wise remarks are furnished to learned Government Pleader for Revenue. Remarks disclose that there are private patta lands to the extent as claimed by the petitioners in paragraph No.2 of the affidavit. However, it is further stated that adjacent to these private patta lands, there is Government land, which is classified as 'Naddi Nala' to an extent of Acs.6.00. In the guise of owning of private lands in the survey numbers as mentioned in paragraph No.2 of the affidavit, the petitioners are trying to encroach into Naddi Nala, Government land. Having received complaints against such encroachments, survey was ordered and the Mandal Surveyor issued notice dated 31.07.2017 to all the interested parties to be present and survey was conducted in the village with prior intimation. The Surveyor identified Naddi Nala, Government land and demarcated the same by conducting panchanama. These

averments would disclose that Naddi Nala, Government land is now identified and demarcation is made. This identification of Naddi Nala and demarcation are in addition to the land claimed by the petitioners in the respective survey numbers.

3. Having regard to these submissions, learned counsel for the petitioners fairly submits that, at the same time, the Government should not interfere with the possession and enjoyment of the petitioners lands.

4. In view of the same, the Writ Petition is disposed of granting liberty to the revenue authorities to clearly demarcate the Government land shown as Naddi Nala, if not already demarcated, and ensure that there shall not be any encroachment. It is also open to the revenue authorities to undertake plantation of trees within that area and they shall not undertake plantation in private patta lands and at the same time, petitioners shall not encroach into Naddi Nala, Government land. If any such encroachments are noticed, it is open to the competent authority to take appropriate action as warranted by law. The para-wise remarks submitted by the Tahsildar, Mutharam (Manthani) Mandal, are taken on record. There shall be no order as to costs.

Miscellaneous Petitions, if any, pending in the Writ Petition shall stand closed.

P. NAVEEN RAO, J

Date:12.09.2017

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