

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

**THURSDAY, THE THIRD DAY OF AUGUST TWO
THOUSAND AND SEVENTEEN**

**Present
HON'BLE SRI JUSTICE P.NAVEEN RAO**

WRIT PETITION No.25802 of 2017

Between:

Stuvartpuram Girijana Colonization Society,
(Registration No.357 of 2016)
10-113B/Stuvartpuram, Bapatla
Guntur, Andhra Pradesh,
Rep., by its Treasurer
China Venkateswarlu Chouta S/o Davedu

.. Petitioner

AND

The State of Andhra Pradesh,
Rep. by its Principal Secretary,
Revenue Department, Secretariat,
Hyderabad and 3 others.

.. Respondents

The Court made the following:

HON'BLE SRI JUSTICE P.NAVEEN RAO

WRIT PETITION No.25802 of 2017

ORDER:

This writ petition is filed praying to grant the following relief:

“to issue writ of mandamus declaring the action of the 2nd respondent for not allotting the agricultural lands at Epurupalem Village under Sy.Nos.64/1, 64/3 309/1C and 310/1 to an extent of Ac.34-13 which belongs to the Schedule Tribe (Yerukula Tribal) of Stuvartpuram to Stuvartpuram Girijana Colonization Society, a Cooperative Society registered vide registration No.357 of 2016 in accordance to G.O.Ms.No.193, dated 01.12.1976, as illegal and arbitrary”

It appears that the petitioner's society was formed and registered on 29.10.2016. The said Society now claims allotment of agricultural lands in Epurupalem Village in Sy.Nos.64/1, 64/3 309/1C and 310/1 to an extent of Ac.34-13. The record discloses that the Government allotted the huge extents of land for the purpose of taking charge of the settlement from the Salvation Army. However, the entire extent of land allotted was not put to use. In regard to subsequent development, the Government issued G.O.Ms.No.193,

dated 01.12.1976. The Government took note of the report submitted by Director of Tribal Welfare and passed orders stating that there are no internees, who are still in the habitual offenders list, the denotified settlements at Stuartpuram and Sitanagaram in Guntur District be converted as free settlements with immediate effect.

A reading of the affidavit filed in support of the petition does not disclose how members of the petitioner's society are considered for settlement from the Salvation Army in the year 1930 and the land which was earmarked by the Government can be allotted to the petitioners.

Learned counsel for the petitioner sought to place reliance on the proceedings of the Collector dated 13.10.1992 marked as Ex.P3, in support of the prayer sought in the writ petition. A reading of the proceedings would disclose that taking note of the report of Mandal Revenue Officer, Bapatla, he was permitted to accept the relinquishment offered by the Salvation Army and requested to take possession of the land relinquished by. If the land belongs to Government, it is for the Government to take appropriate steps for proper utilization of the said land or to assign the said land for needy people. But the petitioners by forming the Society

are claiming for allocation of the land in purported reference to place where the Society is registered and claiming as if they belong to original community formed by the Salvation Army.

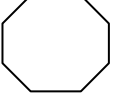
Thus, the relief as sought for, by the petitioner's Society cannot be granted. Accordingly, the writ petition is dismissed. No costs.

Miscellaneous petitions, if any, pending in this Contempt Case shall stand dismissed.

P.NAVEEN RAO, J

Date: 03.08.2017
dv





HON'BLE SRI JUSTICE P.NAVEEN RAO



WRIT PETITION No.25848 of 2014

Date:03.08.2017

dv