

THE HON'BLE SRI JUSTICE P. NAVEEN RAO

WRIT PETITION No.25766 OF 2017

Dated:04.10.2017

Between:

Mogili Kollaiah, S/o. Nagamuthyam,
Aged about 65 years, Occ: Agriculture,
R/o. Gangaram Village, Ashwaraopeta
Mandal, Bhadradi Kothagudem District
and others

.. Petitioners

And

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

.. Respondents



The Court made the following:

THE HON'BLE SRI JUSTICE P. NAVEEN RAO**WRIT PETITION No.25766 OF 2017****ORDER:**

Heard.

2. Petitioners allege that they are landless poor persons and they were assigned lands as early as in 1969 for eking out their livelihood, but so far land is not identified causing them lot of hardship and suffering in eking out their livelihood. According to the petitioners, the forest authorities are claiming that the land assigned to them is part of forest land and therefore they are not allowing them to undertake cultivation of the said lands.

3. According to the averments of the counter affidavit filed on behalf of the Divisional Forest Officer, Palvancha Division, Bhadrachalam District, huge extent of land called as 'Vedanthapuram Reserve Forest Block' was notified as Reserve Forest vide G.O.Ms.No.2996 dated 31.10.1956 and the said land was clearly demarcated on the ground with boundary pillars and no pattas were included in the Reserve Forest at the time of Gazette notification. However, the averments in the counter affidavit are not clear as to whether Forest Department is claiming the land in Survey No.122 of Vedanthapuram Village as forest land. The extent of land in Survey No.122 is also not stated in the counter affidavit.

4. Learned counsel for the petitioners brought to the notice of the Court the letter dated 10.05.2017 addressed by the Revenue Divisional Officer, Bhadrachalam, to the Tahsildar, Aswaraopet Mandal, requesting him to expedite the issue of conducting joint

survey with the forest authorities to identify the land as the assignees are demanding for identification and demarcation of the land assigned to them. It appears, so far no further steps are taken.

5. Learned counsel for the petitioners, learned Assistant Government Pleader for Revenue and learned Government Pleader for Forests jointly request for disposal of the Writ Petition with a direction to conduct joint survey by the Revenue and Forest officials and finalize the issue of demarcation of land assigned to the petitioners expeditiously.

6. Having regard to these submissions and without expressing any opinion on the merits of the case, the Writ Petition is disposed of directing the Tahsildar, Aswaraopet Mandal, and the Divisional Forest Officer, Palvancha, Bhadradi Kothagudem District, to conduct joint survey of land in Survey No.122 of Vedanthapuram Village, Aswaraopet Mandal. They shall identify total extent of land in said survey number and whether any or entire portion of the land is forest land. If the whole or any extent of land in Survey No.122 is agricultural land and not the forest land, the same should be identified with clear demarcation.

7. After the survey is completed and the land is identified, the Tahsildar shall cause notice on the petitioners to produce proof in support of the assignments made and on production of the documents and on verification of the revenue records, the demarcation of the land should be made and possession should be handed over to the eligible assignees. If sufficient land is not available after excluding a portion of forest land in Survey No.122,

if any, and if there is any difficulty in accommodating all the assignees, suitable steps may be taken to accommodate them at any other place. The entire exercise shall be completed as expeditiously as possibly preferably within a period of three months from the date of receipt of a copy of this order. 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:04.10.2017

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