

THE HON'BLE SRI JUSTICE P.NAVEEN RAO

WRIT PETITION No.26245 of 2017

DATED : 07.08.2017

Between :

Koduru Chengalappa Reddy S/o.Papi Reddy,
Aged about 52 yrs, Occu : Agriculturist,
R/o.Dasukuppam Village & Post,
Sathyavedu mandal, Chittoor District
.. Petitioner

And

The State of Andhra Pradesh,
Rep., by its Principal Secretary (Revenue),
Secretariat, Velagapudi, Guntur District. & others.
.. Respondents



This court made the following :

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ORDER :

Heard.

2. Petitioner claims to be a resident of Dasukuppam Village & post, Sathyavedu Mandal, Chittoor District. According to the petitioner there is a channel in Sy.No.130 which is called as Oda (Tamil) and an extent of Ac.0-50 cents which leads to forest for ingress and egress for all the villagers. As per the RSR, land is classified as government land. Petitioner alleges that the 5th respondent is undertaking construction in the said channel without obtaining due permission from the concerned authorities. According to the petitioner, as it is the government land which is being used for ingress and egress for all the villagers, if any construction is made obstructing such channel, it would adversely affect all the villagers. Therefore, the same is illegal. According to the petitioner, the same was brought to the notice of the competent authority orally, but no action is taken. Hence, this writ petition.

3. Along with the writ petition, petitioner enclosed the photo copies of the relevant revenue records to show that the land in Sy.No.130 is classified as government land and therefore no private person can utilize such land for any purpose including civil construction, more particularly, when it would be affecting the ingress and egress for the villagers.

4. However, as seen from the record, the petitioner has not brought to the notice of the competent authority in the form of a written complaint of alleged encroachment into the government

land and undertaking construction by a private person unauthorisedly. Oral representation cannot be treated as valid representation in the eye of law to take cognizance of the same. The allegation of the petitioner on encroachment into the government land and undertaking construction by the 5th respondent without applying for building permission and following due process and making such construction in the government land requires verification of relevant record and field inspection by the competent authority. Thus, at this stage, the Court is not inclined to entertain the writ petition and keep the writ petition pending.

5. Thus, the writ petition is dismissed, leaving it open to the petitioner to make a representation to the Tahsildar, Satyavedu Mandal, Chittoor District (4th respondent), ventilating his grievance as narrated in the affidavit filed in support of this writ petition. It is needless to observe that as and when such representation is made, the Tahsildar shall pay due attention to the said representation/grievance and shall strive to protect the government lands, if what is alleged is true. There shall be no order as to costs.

Miscellaneous petitions, if any, pending in this writ petition shall stand closed.

P.NAVEEN RAO,J

7th August, 2017

Note : Issue c.c., in two days.

B/o.

Rds