

THE HON'BLE SRI JUSTICE A.RAMALINGESWARA RAO

WRIT PETITION No.848 of 2018

ORDER:

Heard learned counsel for the petitioners and the learned Government Pleader for Revenue appearing for the respondents.

2. It is the case of the petitioners that Lingagudem of erstwhile Chintalapudi Taluk of West Godavari District was an Inam Estate Village and the same was taken over by the Government on 01.10.1955 under Madras Estate (Abolition and Conversion into Ryotwari) Act, 1948. One of the owners of the villager sold away the property under registered Sale document, dated 19.02.1941, in favour of predecessor in interest of the petitioners. Thereafter, they divided the property among the members of predecessor in interest. However, the said property was classified as A.W.D lands. The ancestors of the petitioners used to utilize the said lands as grazing ground and also for raising rain fed crops. The said lands were included in the reserved forest by District Gazette, dated 07.06.1977 and the predecessor in interest of the petitioners applied for obtaining settlement patta and approached the Settlement Officer, Eluru. Since the property was included in the reserved forest, they approached the Forest Settlement Officer, Nellore and when the same was not disposed of, they filed W.P.No.11874 of 1994 and batch and the same were disposed of on 04.02.1997 directing the Forest Settlement Officer to receive the claim petitions/objections of the petitioners and dispose of the same in accordance with law. Thereafter, the Forest Settlement Officer, Nellore, passed an order on 10.03.1998 directing the petitioners to approach the revenue authorities as the lands were

classified as A.W.D. lands. Thereafter, the post of Forest Settlement Officer was abolished and powers were delegated to the Joint Collector of the concerned District. The Joint Collector, West Godavari District, heard the matter and arguments were completed on 06.04.2006 on behalf of the petitioners and it was adjourned to respondents' side on 20.04.2006. As no orders were passed, the petitioners filed W.P.No.9286 of 2007 seeking disposal of the claim petitions, pending before the second respondent. Though this Court disposed of the said Writ Petition on 05.09.2007, directing to dispose of the claim petitions of the petitioners within a period of six weeks and though the second respondent issued a notice intimating the date of hearing on 22.01.2011, when no further steps were taken, the present Writ Petition is filed.

3. Learned Government Pleader, on instructions, submits that the case is pending before the second respondent even as on today.

4. In view of the same, the Writ Petition is disposed of directing the second respondent to dispose of the Case in File C.No.25/97/884/72/8 (FCO Nellore), within a period of three months from the date of receipt of a copy of this order, after hearing the petitioners and other affected parties.

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

A.RAMALINGESWARA RAO, J

FEBRUARY 2, 2018

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Date: 02.02.2018

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