

HONOURABLE SRI JUSTICE P.NAVEEN RAO

WRIT PETITION NO.12320 OF 2018

Date: 25.04.2018

Between:

R.T.Masthanaiah, S/o. Chinnaiah, Aged about 65 years,
R/o Chellayapalem Harijanavada, Buchireddypalem *M),
SPSR Nellore District and others.

.....Petitioners

and

The State of Andhra Pradesh, rep.by its Principal
Secretary (Revenue), Secretariat Buildings,
Velagapudi, Amaravathi, Guntur district and
others.

.....Respondents



The Court made the following:

HONOURABLE SRI JUSTICE P.NAVEEN RAO

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ORDER:

This writ petition is filed alleging that in spite of complaining to the respondent authorities, they failed to inquire and take action on the representation submitted by petitioners on 05.02.2018, alleging that there are encroachments of burial ground in Sy.No.154/5 to an extent of Ac.0.10 cents and Sy.No.154/2 to an extent of Ac.0.87 cents and Ac.0.97 cents of Chellayapalem village, Buchireddypalem Mandal, SPSR Nellore district.

2. According to the instructions furnished to learned Government Pleader, extent of area earmarked for burial ground is not in dispute. However, according to learned Assistant Government Pleader, there is playground in Sy.No.155/1 to an extent of Ac.0.25 cents, which is classified as Poramboke in village accounts and there is no encroachment into burial ground as those two pieces of land are in different survey numbers. It is further stated that Ac.0.30 cents of land in Sy.No.155/1 is being utilized for dumping yard and the Tahsildar asserts that there are no encroachments into burial ground. In view of the same, apprehension expressed by the petitioners is not valid.

3. However, in order to avoid further litigation and further complications, Tahsildar (4th respondent) is directed to ensure to demarcate and fence around the burial ground. Such steps should be taken immediately and completed as expeditiously as possible, preferably within a period of three months from the date of receipt of copy of this order. Accordingly, the writ petition is disposed of.

Pending miscellaneous petitions shall stand closed. There shall be no order as to costs.

JUSTICE P.NAVEEN RAO

Date: 25.04.2018
kkm



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