

THE HONOURABLE SRI JUSTICE A.V.SESHA SAI

WRIT PETITION No.25655 of 2018

ORDER:

The Writ Petition is filed for the following relief:-

“... to pass Order or orders or direction, more particularly, one in the nature of a Writ of Mandamus declaring the inaction of the respondents No.4 and 5 in not conducting the inspection and submitting the report with respect to the proposed Quarry lease of the petitioner for an extent of 8.60 Hcts., in Sy.No.6 of Palempalli village and an extent of 1.40 Hcts., in Sy.No.244 of Bodevaripalli village of Punganuru Mandal, Chittoor District, as illegal, arbitrary and in violation of the petitioner's rights guaranteed under Articles 14, 19 (1)(g) and 21 of the Constitution of India and to pass.....”

A counter affidavit, deposed by the Divisional Forest Officer, Chittoor West Division, Chittoor/R.4 herein is filed. Paragraph No.6 of the said counter affidavit reads as under:-

“In reply to para Nos.8 to 10 of the affidavit and as explained supra, it is submitted that there are disputes and practical problems in fixing the boundary of the block area and requires to conduct detailed survey jointly with Revenue and Survey & Land Records Departments from the beginning point to the end point and arrive the facts and factual figures and make full exercise by the Forest Department about the losses. Then submit detailed report with full justification duly explaining the fact along with joint inspection report to the Government and Orders obtained.”

In view of the said averments in the counter affidavit of the Divisional Forest Officer/R.4 herein and to have a quietus for this

issue, this Court deems it appropriate to dispose of the Writ Petition, with a direction to the 8th respondent herein to arrange for the detailed Joint Survey with the Revenue, Survey & Land Records and Forest Departments, and to take further action, strictly in accordance with law after giving notice to the petitioner. The said exercise shall complete within a period of three months from the date of receipt of a copy of this Order.

Miscellaneous Petitions pending consideration, if any, in this Writ Petition shall stand closed. There shall be no order as to costs.

Date :26.09.2018
Smr

JUSTICE A.V.SESHA SAI

