

HON'BLE SRI JUSTICE C. PRAVEEN KUMAR

WRIT PETITION No.30011 OF 2018

ORDER:

The present writ petition came to be filed seeking to issue mandamus directing the respondents to retain the land admeasuring Ac.25-00 in Sy.No.162/2, 162/3, 163/4, 163/5, 166/5 and 432-5 situated at Modugupalli Village, Badigireddypalli, Gadduru, Kantepally & Kudavuru, Ponganur Mandal, Chittoor District for grazing cattle belonging to the petitioners' community.

Learned counsel for the petitioner submits that earlier the Division Bench of this Court in W.P.No.16905 of 1988 passed the following order”

“The above stated facts would clearly show that the Government, if wants to change the nature of the lands has to follow the procedure laid down under the Board Standing Orders. Then only, the Government can assign the lands. The only grievance of the petitioners is that the government not following the procedure laid down under the Board Standing Orders. Therefore, we think it just and proper to direct the respondents that in case of they want to change the classification of the lands i.e., from grazing land to some other land, they should follow the procedure laid down under the Board Standing Orders and they can take action according to law.”

Enclosing the above said order, the petitioners filed representation dated 06.07.2018 before the respondents 2 and 3 requesting them not to use the land allotted for grazing purpose to any other purpose. But no action has been taken so far by the authorities.

Learned Government Pleader for Revenue places on record the written instructions dated 27.08.2018 received from Tahsildar-Punganur wherein it is stated that there is no encroachment of the lands used by the petitioners for cattle grazing and that there is also no proposal for change of classification from grazing land to poramboke.

Keeping in view the earlier order passed by this Court in W.P.No.16905 of 1988 and in view of the written instructions of Tahsildar-3rd respondent dated 27-08-2018, the writ petition is disposed of directing the respondent authorities not to change the nature of the land without following due process of law. No order as to costs.

As a sequel to disposal of the writ petition, WP.M.Ps if any pending shall stand closed.

Dated:23.08.2018.
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C. PRAVEEN KUMAR, J

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