

THE HON'BLE SRI JUSTICE CHALLA KODANDA RAM

WRIT PETITION No. 4565 of 2019

ORDER:

The specific ground, which has been raised in the present writ petition, is that the respondents are asserting that the land admeasuring Acs.13.00 in Survey No.20 of Burugadda Village, Dharur Mandal, Vikarabad, comes under reserve forest area, but, they have not issued notification to that effect.

In the counter-affidavit filed by respondent No.4, it is stated that the proposal to notify the subject land as reserve forest area is pending with the Revenue Department and that as on date, neither there is notification issued in terms of Section 4 of the Telangana Forest Act nor publication in the official Gazette.

It may be noted that on an earlier occasion, this Court while disposing of W.P.No.17767 of 1997 through order dated 09.12.2002 categorically held that the respondents are at liberty to take action by duly following the procedure prescribed under the Telangana Forest Act and that till the notification is issued, the respondent authorities shall not in any way interfere with the possession and enjoyment of the petitioners over the subject land.

In those circumstances, the writ petition is allowed. However, it is made clear that as soon as such notification is published in the Gazette, the respondent authorities are at liberty to take appropriate action in terms of the order dated 09.12.2002 passed by this Court in W.P.No.17767 of 1997.

Miscellaneous Petitions, if any pending shall also stand disposed of. There shall be no order as to costs.

CHALLA KODANDA RAM, J

Dt:26.03.2019

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