

THE HON'BLE SRI JUSTICE A. ABHISHEK REDDY

WRIT PETITION Nos.25797 and 25940 of 2022

COMMON ORDER:

Heard learned counsel for the petitioners and the learned Government Pleader for Forests. With their consent, the present Writ Petitions are being disposed of at the stage of admission itself.

The main grievance of the petitioners in both these writ petitions is that the respondents are trying to interfere with their peaceful possession in respect of the lands, admeasuring Acs.7.09 guntas in Survey Nos.363, 370, 371 and 383 and Acs. 9.13 guntas in Survey Nos.363, 370, 380, 383, 366, 369, 371 and 377 part, respectively, situated at Donkal Village, Indalwai Mandal, Nizamabad District.

The learned Government Pleader, based on written instructions, has stated that Emmadi Gopi, who is the husband of the petitioner in W.P.No.25797 of 2022 and the petitioner in W.P.No.25940 of 2022, has felled 69 Teak & Non-Teak trees illegally for formation of pathway to the land in Survey No.361 of Donkal Revenue Shivar, without obtaining any permission from the competent authorities. Therefore, a case was registered against him *vide* POR No.12/091 dated 18.08.2021. In view of the willingness expressed by Emmadi Gopi for getting the case compounded, the respondent No.4 has imposed penalty of Rs.2,06,902/-. Thereafter, Emmadi Gopi has again felled 365 trees, which were nearly 50 to 60 years of old forest species. Hence, a forest offence case was booked against him *vide* POR No.18/091 dated

05.05.2022, for violation of Rule 3 of the Telangana State Forest Produce Transit Rules, 1970, read with Section 29 of the Telangana State Forest Act, 1697. Learned Government Pleader apprehends that under the guise of this order, the petitioners may try to encroach into the adjacent forest lands. The learned Government Pleader has further stated that the subject lands are private patta lands and forest officials are not interfering with the same.

Having regard to the above, the writ petitions are disposed of with the direction to the Forest Officials not to interfere with the private patta lands of the petitioners, **admeasuring** Acs.7.09 guntas in Survey Nos.363, 370, 371 and 383 and Acs. 9.13 guntas in Survey Nos.363, 370, 380, 383, 366, 369, 371 and 377 part, respectively, situated at Donkal Village, Indalwai Mandal, Nizamabad District. It is made clear that in case the petitioners try to encroach the forest lands, under the guise of this order, the official respondents shall take necessary action against them in accordance with law.

The writ petitions are, accordingly, disposed of. There shall be no order as to costs.

Consequently, miscellaneous petitions pending, if any, shall stand closed.

A. ABHISHEK REDDY, J

Date: 20.06.2022
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