

Item No.1 & 2:-

**BEFORE THE NATIONAL GREEN TRIBUNAL
SOUTHERN ZONE, CHENNAI**

Thursday, the 19th day of February, 2026.

[Through Physical Hearing (Hybrid Option)]

**Original Application No.193 of 2023 (SZ)
WITH
Original Application No.11 of 2024 (SZ) &
I.A. No.25 of 2025 (SZ)**

IN THE MATTER OF:

O.A. No.193 of 2023 (SZ):

Tribunal on its own motion **Suo Motu** based on the letter petition dated 11.12.2023 regarding **"Illegal occupation of lands & damaging public property and natural resources"**

And

**1) Special Chief Secretary to Govt. of
Andhra Pradesh**

Department of Environment,
Forests, Science and Technology,
4th Block, Ground Floor, Room No.268,
A.P. Secretariat Office, Velagapudi,
Guntur, Andhra Pradesh – 522 237.

2) Principal Secretary of Andhra Pradesh

Department of Revenue, Land and Disaster Management,
4th Block, Ground Floor, Room No.135,
A.P. Secretariat Office, Velagapudi,
Guntur, Andhra Pradesh – 522 237.

**3) The District Collector and
District Magistrate**

District Collector Office,
Tirupati, Andhra Pradesh – 517 503.

4) The Chief Conservator of Forests

Tirupati Circle,
MC3C+P87, Meghdoot Nagar,
Tirupati, Andhra Pradesh – 517 507.

5) The Executive Engineer

Irrigation Department, Tirupati,
JCR6+884, Marrimanu Street,
Srinivasa Nagar, Sarojini Devi Layout,
Tirupati, Andhra Pradesh – 517 507.

6) The Mandal Revenue Officer

Ramachandrapuram Mandal,
Ramachandrapuram, Tirupati,
Andhra Pradesh – 517 561.

...Respondent(s)

WITH

O.A. No.11 of 2024 (SZ):

S. Sivaiah Naidu

Former Judge & Judicial Member of
A.P. Administrative Tribunal,
Nethakuppam Village,
Ramachandra Puram Mandal,
Tirupati District,
Andhra Pradesh – 517 561.

...Applicant (s)

Versus

1) The District Collector and District Magistrate

Tirupati District,
Andhra Pradesh – 517 504.

2) The Chief Commissioner of Land Administration

Govt. of Andhra Pradesh
APIIC TOWERS, Mangalagiri,
Andhra Pradesh – 522 503.

3) Executive Engineer

Irrigation Department, Tirupati,
Andhra Pradesh – 517 502.

4) The Mandal Revenue Officer

Ramachandrapuram Mandal
Andhra Pradesh – 533 287.

5) The District Forest Officer

Tirupati District,
Andhra Pradesh – 517 501.

6) P Jagadeesh Babu

S/o Ratnam,
Alleged Assignee of Land in Survey No.428-1,
Muchala Kona of Nethakuppam Village,
Ramachandrapuram Mandal,
Tirupati District,
Andhra Pradesh – 517 561.

7) B Venugopal Reddy

S/o. B Ramireddy,
Alleged Assignee of Land in Survey No.428-2,
Muchala Kona of Nethakuppam Village,
Ramachandrapuram Mandal,
Tirupati District,
Andhra Pradesh – 517 561.

...Respondent(s)

O.A. No.193/2023 (SZ):

For Applicant(s): Suo Motu.

For Respondent(s): Mr. K. Ravindranath for R1 to R6.

O.A. No.11/2024 (SZ):

For Applicant(s): M/s. G.M. Syed Nurullah Sheriff, L. Suryaprabhu,
P. Kokila, K. Priyanka, B. Girija & Chandra Priya C.

For Respondent(s): Mr. K. Ravindranath for R1 to R5.
M/s. G. Stanly Hebzon Singh, G. Vignesh,
C.P. Kavitha Renjini & V. Anantha Krishnan for R6 & R7.

Judgement Reserved on: 10th December, 2025.

CORAM:

HON'BLE Smt. JUSTICE PUSHPA SATHYANARAYANA, JUDICIAL MEMBER

HON'BLE Dr. PRASHANT GARGAVA, EXPERT MEMBER

J U D G M E N T

Delivered by Smt. Justice Pushpa Sathyanarayana, Judicial Member

O.A. No.193 of 2023 (SZ):

1) The above-captioned application is registered based on a letter petition sent by one A. Gnana Sudha, alleging that Muchala Kona Kunta is adjacent to the reserve forest and is being damaged by certain miscreants who are levelling the land and clearing the forest, which is detrimental to the lower riparian owners.

O.A. No.11 of 2024 (SZ):

2) Triggered by the alleged destruction activities at Muchala Kona, the above-captioned application is filed by the applicant, seeking a direction to the authorities to initiate appropriate action against the 6th and 7th Respondents herein and also to restore the destroyed portion.

3) The 6th and 7th Respondents claim to be assignees of the forest land to an extent of 10 Acres from the Mandal Revenue Officer (MRO) of Ramachandrapuram Mandal, Tirupati District, Nethakuppam Gram Panchayat.

4) It is alleged that the 6th and 7th Respondents are destroying the land by levelling the land, clearing jungle and taken up excavation activities with the help of heavy machineries resulting in damage to the Muchala Kona Kunta. The said Muchala Kona Kunta is adjacent to a hill area of 100 Acres, which is next to the reserve forest.

5) The above pond is also feeding the natural stormwater drain, providing irrigation facilities to lower riparian farmers, which includes the applicant's family. The 6th and 7th Respondents are intimidating the local shepherds and stopping them from using the land as a grazing area. Hence, the above Original Application is filed.

6) As the issues involved in both the applications are same, they are clubbed together and heard and a common order is passed.

7) The **District Collector, Tirupati District**, in his **report dated 11.08.2024**, has referred to the report of the Tahsildar, Ramachandrapuram Mandal. As per the report, the Forest and Revenue Department authorities had inspected the subject land, which is vacant on ground and belong to the Revenue Department. Whenever the lands are required for the public purposes, the Government is at liberty to make use of the land. It is stated that in the Ramachandrapuram Mandal, no lands are available to grant assignment pattas to the eligible assignees except the land in Sy. No.428 to an extent of 10 Acres. It is further stated that the subject land is adjacent to the reserve forest of Nethakuppam Village.

8) The District Collector, Tirupati, vide Proceedings dated 14.08.2024, directed the Tahsildar to issue an assignment of patta for the lands in Sy. Nos.428/1 to an extent of 05 Acres of Nethakuppam Village in favour of Mr. P. Jagadeesh Babu (Respondent No.6), an ex-service man and Mr. B. Venugopal Reddy, another ex-service man in Sy. No.428/2 to an extent of 05 Acres. Before the same, approval was obtained from the District Level Assignment Committee, Tirupati, for Chandragiri Assembly Constituency. As the 6th and 7th Respondents are ex-service men and had applied for allotment of land to the Zilla Sainik Welfare Officer, they were eligible to get assignment of land. As the above said extent of 10 Acres classified as 'Gap Area' of Nethakuppam Village, A1 Notices were published, inviting objection from the villagers. Since no objections were received, the Gram Panchayat (Special Officer) issued a resolution for allotment of aforementioned land in favour of the assignees. The Mandal

Surveyor had sub-divided the land and recorded the same. The Government of Andhra Pradesh vide G.O. Ms. No.743 of Revenue Department dated 30.04.1963 and subsequent Government Orders had issued guidelines stating that all jawans domiciled in Andhra Pradesh and serving the defence force of India be eligible for assignment of lands in their own village or elsewhere to an extent of 2.50 cents of wetland or 5 cents of dry land, including the land already owned by them. Vide another G.O. Ms.250 dated 15.05.2018, the Government of Andhra Pradesh has reconstituted the Assignment Review Committee. The said Committee, after consideration, had granted assignment pattas to the 6th and 7th Respondents. The above assignments are subject to the conditions and guidelines issued by the Government of Andhra Pradesh.

9) The District Collector also referred to the report of the Executive Engineer, Irrigation Department. It is reported that the existing natural passage Buggalavanka is now called as 'Muchalakona'. However, as per the village plan, the above said percolation tank was not marked. During the field inspection, it was noticed that the bund of the percolation tank i.e. Muchalakona Kunta was not disturbed and it was covered with small bushes. It does not provide irrigation facilities directly, excepting that the percolation tanks increase groundwater. The said tank does not have sluice or surplus weir. The natural passage from the top at hills and the water received is stored below the ground level area of 0.70 Acres which is not disturbed by the assignees during the reclamation of the land. The subject land is existing on the northern side of the said kunta and there is no scope or necessity to interfere with the said kunta.

10) Similarly, the report of the District Collector also referred to the report from the District Forest Officer, Tirupati. The said report is filed after inspection on 26.02.2024. As per the report of the District Forest Officer, there is no forest called 'Muchalakona Forest' area in the notified forest areas. As per the satellite maps and revenue records, the Sy. Nos.428/1 and 428/2 are belonging to the 6th and 7th Respondents respectively. The above said lands are approximately 40 to 60 meters away from the boundary of the Dornakambala Reserve Forest and they are

separated by way of blacktop road, leading from Chandragiri to Netakuppam. As per the available revenue records, the above lands are not part of any notified forest area and it is only the Government land. There are also no trees existing in the land except that the same is covered by thorny bushes, grasses and light vegetation growth.

11) So, based on the report of the Tahsildar, Irrigation Department and also from the District Forest Officer, the District Collector has stated that the allegation of the applicant is not substantiated and the complaints are not maintainable.

12) The learned counsel appearing for the applicant referred to various decisions of the Hon'ble Supreme Court of India, including ***T.N. Godavarma Thirumulpad v. Union of India***, to emphasise that natural resources must be preserved for future generations under the "Public Trust Doctrine".

13) The reliance was placed on ***Hincha Lal Tiwari Vs. Kamala Devi & Ors. (2001) 6 SCC 496*** to state that "*the material resources of the community like forests, tanks, ponds, hillock, mountain, etc. are nature's bounty. They maintain delicate ecological balance. They need to be protected for a proper and healthy environment which enables people to enjoy a quality life which is the essence of the guaranteed right under Article 21 of the Constitution*".

14) The reports of the authorities have categorically found that the land belongs to the assignees, who are ex-servicemen. The various departments, such as Revenue, Forest, and Irrigation, have also emphatically stated that the above lands do not fall under forest land and that they constitute only a gap area, without in any way disturbing the so-called Muchalakona Kunta.

15) Therefore, the claim of the applicant is not substantiated and the complaint made by the letter petitioner on similar grounds is not established. **Hence, the Original Applications [O.A. No.193 of 2023 & 11 of 2024 (SZ)] are liable to fail and are accordingly dismissed.**

16) In view of the disposal of the main case, the pending interlocutory application [I.A. No.25 of 2025 (SZ)] is also closed.

Sd/-
Smt. Justice Pushpa Sathyanarayana, JM

Sd/-
Dr. Prashant Gargava, EM

Internet – Yes/No

All India NGT Reporter – Yes/No

**O.A. No.193/2023 (SZ) &
O.A. No.11/2024 (SZ)
I.A. No.25/2025 (SZ)
19th February, 2026. Mn.**

