

IN THE HIGH COURT FOR THE STATE OF TELANGANA AT HYDERABAD

THURSDAY, THE EIGHTH DAY OF SEPTEMBER

TWO THOUSAND AND TWENTY TWO

:PRESENT:

THE HONOURABLE SRI JUSTICE B.VIJAYSEN REDDY

WRIT PETITION NO: 35159 OF 2022

Between:

Chippakurthy Mallesham, S/o Rayapocharu.

Petitioner

AND

1. The State of Telangana, rep by Principal Secretary Environment, Forest and Science and Technology Department, Secreteriat, Hyderabad.
2. The District Forest Officer, Mancherial District
3. The Forest Divisional Officer, Bellampalli Division, Mancherial District
4. The Forest Range Officer, Kusinapally, Nennel Mancherial district
5. The Forest Beat Officer, Nennel, Nennel Mandal, Mancherial District
6. The Tahasildar, Nennel Mandal, Mancherial district

Respondents

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the affidavit filed therewith, the High Court may be pleased to issue a writ or order more particularly one in the nature of writ of mandamus or any other appropriate writ or order or orders declaring the action of respondents in trying to dispossess the petitioner from the land in survey No 671/11 extent Ac 4.00 gts situated at Nennel village and Mandal, Mancherial District without issuing any notice and following the due process of law as arbitrary and illegal and violative of Articles 14, 16 and 300A of the Constitution of India and against to the principles of natural Justice consequently direct the respondents to not to interfere and dispossess the petitioner from the land in survey No. 671/11 extent Ac 4.00 gts situated at Nennel village and Mandal, Mancherial;

IA NO: 1 OF 2022

Petition under Section 151 CPC praying that in the circumstances stated in the affidavit filed in support of the petition, the High Court may be pleased to direct the respondent No.2 to 6 not to interfere and not to dispossess the petitioner from the land in survey No 671/11 extent 4.00 situated at Nennel village and Mandal Mancherial District without following the due process of law, Pending disposal of WP 35159 of 2022, on the file of the High Court.

The petition coming on for hearing, upon perusing the Petition and the affidavit filed in support thereof and upon hearing the arguments of SRI GUDI MADHUSUDHAN REDDY Advocate for the Petitioner, GP FOR FORESTS for the Respondent nos. 1 to 5, GP FOR REVENUE for the respondent no.6, the Court made the following.

ORDER

Petitioner is claiming title and possession over the subject property on the strength of e-pattadar passbook and entries in Dharani portal.

In view of the same, there shall be interim direction to the respondents not to interfere with the possession of the petitioner in respect of land bearing Survey No.671/11 admeasuring Ac.4.00 guntas situated at Nennel village and mandal,

Mancherial district, except in accordance with law. However, this order will not preclude the forest officials from initiating any action against the petitioner, as per law, if the petitioner found to have encroached the forest land.

Post on 10.10.2022.

SD/- T. KRISHNA KUMAR
DEPUTY REGISTRAR

//TRUE COPY//

SECTION OFFICER

To,

1. The Principal Secretary Environment, Forest and Science and Technology Department, The State of Telangana, Secreteriat, Hyderabad. (by RPAD)
2. The District Forest Officer, Mancherial District (by RPAD)
3. The Forest Divisional Officer, Bellampalli Division, Mancherial District (by RPAD)
4. The Forest Range Officer, Kusinapally, Nennel Mancherial district (by RPAD)
5. The Forest Beat Officer, Nennel, Nennel Mandal, Mancherial District (by RPAD)
6. The Tahasildar, Nennel Mandal, Mancherial district (by RPAD)
7. One CC to SRI. GUDI MADHUSUDHAN REDDY Advocate [OPUC].
8. Two CCs to GP FOR FORESTS, High Court for the State of Telangana at Hyderabad. [OUT]
9. Two CCs to GP FOR REVENUE, High Court for the State of Telangana at Hyderabad. [OUT]
10. One spare copy

HIGH COURT

BVRJ

DATED:08/09/2022

POST ON 10.10.2022

ORDER

WP.No.35159 of 2022

INTERIM DIRECTION

