

**IN THE HIGH COURT FOR THE STATE OF TELANGANA
AT HYDERABAD
(Special Original Jurisdiction)**

**MONDAY, THE THIRTEENTH DAY OF APRIL
TWO THOUSAND AND TWENTY SIX**

PRESENT

THE HONOURABLE MRS JUSTICE SUREPALLI NANDA

WRIT PETITION NO: 11066 OF 2026

Between:

Mandal Aravind, S/o. Mandal Anil, Aged about 50 years, Occ. Agriculture,
R/o. H.No.1-290, Gangapur Village, Chintalamanepalli Mandal, K.B.Asifabad
District.

...PETITIONER

AND

1. The State of Telangana, Rep. by its Principal Secretary, Forest Department,
Dr. B.R. Ambedkar Telangana State Secretariat, Khairatabad, Hyderabad.
2. The District Forest Officer, K.B.Asifabad, At. K.B.Asifabad District
3. The Divisional Forest Officer, Kagaznagar, K.B.Asifabad District.
4. The Forest Range Officer, Karjelly Range, K.B. Asifabad 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, order or direction more particularly one in the nature of Writ of Mandamus declaring the action of the respondents in interfering into the peaceful possession and enjoyment of the Petitioners land in Sy.No.91/368/A an extent of Ac.4.0000 Gts existing House bearing no. 1-290, situated at Gangapur village shivar, chintalamanepalli Mandal, K.B.Asifabad District as illegal and arbitrary and unjust also violation of Articles 14, 19, against the principles of natural justice and violation of Article 300-A of the Constitution of India and consequently direct the respondents No. 2 to 4 not to Dispossess the petitioner from peaceful possession and enjoyment of the land in Sy.No.91/368/A an extent of Ac.4.0000 Gts existing House bearing no.

1-290, situated at Gangapur village shivar, chintalamanepalli Mandal, K.B.Asifabad District.

I.A. NO: 1 OF 2026

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 respondents No. 2 to 4 not to interfere into the peaceful possession and enjoyment of the Petitioners land in Sy.No.91/368/A an extent of Ac.4.0000 Gts existing House bearing no. 1-290, situated at Gangapur village shivar, Chintalamanepalli Mandal, K.B.Asifabad District pending disposal of the main writ petition.

Counsel for the Petitioner: SRI RUDRESH DESHPANDE

Counsel for the Respondents: AGP FOR FORESTS

The Court made the following: ORDER

**IN THE HIGH COURT FOR THE STATE OF TELANGANA AT
HYDERABAD**

THE HON'BLE MRS. JUSTICE SUREPALLI NANDA

WRIT PETITION No.11066 of 2026

DATE: 13.04.2026

BETWEEN :

Mandal Aravind

... **Petitioner**

And

The State of Telangana,
Forest Department
Hyderabad & 3 others

... **Respondents**

ORDER

**Heard Sri Rudresh Deshpande, learned counsel
appearing on behalf of the petitioner, learned Assistant
Government Pleader for Forest appearing on behalf of
Respondent Nos.1 to 4.**

**2. The petitioner approached this Court seeking the
prayer as under:**

"...to issue a Writ, Order or Direction more particularly one in the nature of Writ of Mandamus, declaring the action of the respondents in interfering into the peaceful possession and enjoyment of the petitioners land in Sy.No.91/368/A an extent of Ac.4.0000 Gts existing House bearing No.1-290 situated at Gangapur Village Shivar, Chintalamanepalli Mandal, K.B.Asifabad District as illegal and arbitrary and unjust also violation of Articles 14, 19, against the principles of natural justice and violation of Article 300-A of the Constitution of India and consequently direct the respondents 2 to 4 not to Dispossess the petitioner from peaceful possession and enjoyment of the land in Sy.No.91/368/A an extent of Ac.4.0000 Gts existing House bearing No.1-290 situated at Gangapur Village Shivar, Chintalamanepalli Mandal K.B.Asifabad District and to pass such other order..."

3. The case of the petitioner, in brief, is that the petitioner is the owner and possessor of agricultural land admeasuring Ac. 4.00 guntas in Sy. No. 91/368/A, situated at Gangapur Village, Chintalamanepalli Mandal, K.B. Asifabad District. The petitioner's name was duly mutated in the revenue records, and the petitioner had been issued a Pattadar Passbook and Title Deed bearing Patta No. 626342 and e-Passbook No. T16030090448.

On 09.06.2016, the forest officials had registered a case against the petitioner vide POR No. 1335/27 for alleged offences under Sections 27(2)(ii) and 26(1)(b) of the A.P. Forest Act, 1967, on the ground of encroachment into reserve forest land. The said case was tried as C.C. No. 283 of 2017 before the Judicial Magistrate of First Class, Sirpur-T, and by judgment dated 26.11.2025, the petitioner was acquitted, with a clear finding that the land was not forest land and that the construction was on assigned land. Subsequently, in 2026, Respondents 2 to 4 once again attempted to interfere with the petitioner's possession by digging trenches near the land, claiming it to be reserve forest land, without issuing any notice or following due process of law. Apprehending dispossession and irreparable injury, the petitioner had approached this Court by filing the present writ petition seeking protection of petitioner's possession.

4. PERUSED THE RECORD.

DISCUSSION AND CONCLUSION :

5. The learned counsel appearing on behalf of the petitioner mainly puts forth the following submissions:

(i) The petitioner is the owner and possessor of the agricultural land admeasuring Ac.4.00 Gts., in Sy.No.91/368/A situated at Gangapur Village Shivar, Chintalamanepalli Mandal, K.B. Asifabad District.

(ii) The name of the petitioner has been mutated in revenue records and the petitioner has been issued pattadar Passbooks and Title deed vide Patta No.626342 and Unique I.D.No.010212 by the Revenue Department.

(iii) The petitioner had been peacefully cultivating the subject land by doing agriculture for his livelihood without any interruption, since more than a decade.

(iv) The respondent Nos. 2 to 4 have been interfering with the subject land of the petitioner including the petitioner's existing house and a false case had been registered against the petitioner vide POR No.1335/27 dated 09.06.2016 on the ground that the petitioner had committed the offences under Sections 27(2) (ii) and Section 26(1)(b) of A.P. Forest Act, 1967. Though the petitioner had been acquitted vide Judgment dated 26.11.2025 on the file of the learned Judicial Magistrate of First Class at Sirpur-T in

C.C.No.283 of 2017, the respondent officials continued to interfere with the peaceful possession of the petitioner.

Based on the aforesaid submissions, learned counsel appearing on behalf of the petitioner contends that the petitioner is entitled for the relief as prayed for in the present writ petition.

6. Learned Assistant Government Pleader brings on record written instructions dated 10.04.2026 of the Forest Range Officer, Karjelly, and the relevant portion of written instructions, is extracted hereunder:

"It is further submitted that the petitioner is the owner and possessor of the land in Sy.No.91/368/A an extent of Ac.4.00 Gts situated at Gangapur Village, Shivar Chintalamanepalli Mandal KB-Asifabad District, and his name was mutated in the revenue records and issued patta passbooks and title deed vide Patta No.626342 and Unique ID No.010212 by the revenue department and e-pattadar pass books and issued vide Pass book No.T16030090448 vide Khatha No.922 the then Telangana Government during the year 2016. But the petitioner herein without having the subject Forest lands and any point of time, claiming rights over the subject Forest land and as such the question of granting right certificates under Sec.4(5) of RoFR Act, 2006 does not arise.

Further is submitted the, the Forest Range, Karjelly issued notice on 14.05.2015 to Sri Aravind Mandal S/o Anila Mandal, R/o. Ravindranagar regarding removing any building or other construction or anything growing or deposited on it from forest areas, and took the acknowledgment of Aravind Mandal S/o. Anila Mandal R/o. Ravindranagar. The copy is enclosed herewith.

Further it is submitted that a POR was registered vide 1335/27 dated 09.06.2016 for the offences under Section 27(2) (ii) of A.P. Forest Act, Section 26(1)(b) of A.P. Forest Act, 1967.

Further, the Forest Range Officer have filed a charge sheet against Sri Aravind Mandal S/o. Anila Mandal, R/o. Ravindranagar in the Hon'ble Court Sirpur-T. The courts have passed orders in this case as follows.

"The accused is found not guilty for the offences punishable U/Secs 3.27(2)(ii) of A.P. Forest Act, Sec.26(1)(b) of A.P. Forest Act, 1967. Accordingly, he is acquitted under sec.248(1) of Cr.P.C., for the said offences. The bail bond of the accused shall remain in force for a period of six months as contemplated under Sec.437 Cr.P.C."

7. Learned Assistant Government Pleader submits that writ petition could be disposed of directing the respondents to follow due procedure under law.

8. A bare perusal of the written instructions indicate that the petitioner is the owner and possessor of the

land in survey No.91/368/A to an extent of Ac.4-00 Gts., situated at Ghanpur Village Shivar, Chintalamanepalli Mandal, K.B. Asifabad District and petitioner's name had been mutated in the revenue records. The petitioner had been issued pattadar passbooks and title deeds vide Patta No.626342 and Unique I.D.No.010212 by the revenue department and e-pattadar passbooks also had been issued vide e-Passbook No.T16030090448 Vide Khatha No.922. The written instructions also indicate that a case had been registered against the petitioner vide POR No. 1335/27 dated 09.06.2016 for the offences under Sections 27(2)(ii) and 26(1)(b) of A.P. Forest Act, 1967 which ended in acquittal in favour of the petitioner herein, and the petitioner had not been found guilty for the offences alleged against the petitioner.

9. TAKING INTO CONSIDERATION:

- a) The aforesaid facts and circumstances of the case,

b) The submissions made by the learned counsel appearing on behalf of the petitioner and the learned Assistant Government Pleader appearing on behalf of the respondents,

c) The written instructions brought on record dated 10.04.2026 of the Forest Range Officer, Karjelly (referred to and extracted above),

The Writ Petition is disposed of, directing the respondents to follow the due procedure of law as laid down in the Forest Act, 1967. There shall be no order as to costs.

Miscellaneous petitions, if any, pending in this Writ Petition, shall stand closed.

SD/- A. SREENIVASA REDDY
ASSISTANT REGISTRAR

//TRUE COPY//

SECTION OFFICER

To,

1. The Principal Secretary, Forest Department, Dr. B.R. Ambedkar Telangana State Secretariat, Khairatabad, Hyderabad, State of Telangana.
2. The District Forest Officer, K.B.Asifabad, At. K.B.Asifabad District
3. The Divisional Forest Officer, Kagaznagar, K.B.Asifabad District.
4. The Forest Range Officer, Karjelly Range, K.B. Asifabad District.
5. One CC to SRI RUDRESH DESHPANDE, Advocate [OPUC]
6. Two CCs to GP FOR FORESTS, High Court for the State of Telangana at Hyderabad [OUT]
7. Two CD Copies

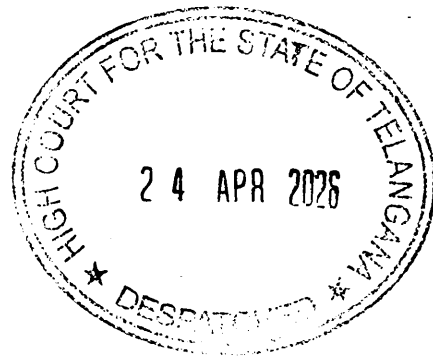
BSR

GJP

CC TODAY

HIGH COURT

DATED: 13/04/2026



ORDER

WP.No.11066 of 2026

**DISPOSING OF THE WRIT PETITION,
WITHOUT COSTS**

90 copies

g/o

dt. 24/4/26