

IN THE HIGH COURT FOR THE STATE OF TELANGANA AT HYDERABAD

**THURSDAY, THE TWENTY FIFTH DAY OF AUGUST TWO THOUSAND AND
TWENTY TWO**

**:PRESENT:
THE HONOURABLE SRI JUSTICE B.VIJAYSEN REDDY**

WRIT PETITION NO: 33708 OF 2022

Between:

1. M.Ramakrishna Reddy, S/o. Ram Reddy
2. M.Bikshapathi Reddy, S/o. Narayan Reddy
3. M.Srinivas Reddy, S/o. Narayana Reddy

Petitioners

AND

1. The State of Telangana, Rep by its Principal Secretary Forest Department, Secretariat Building Hyderabad
2. The District Forest Officer, Siddipet District, Telangana
3. The Forest Range Officer, Gajwel Division, Siddipet district
4. The Revenue Divisional Officer, Gajwel Division Siddipet District
5. The Deputy Inspector of Survey, Gajwel, Siddipet District
6. The Mandal Surveyor, Wargal Mandal Siddipet District
7. The Mandal Surveyor, Gajwel Mandal Siddipet 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 of Mandamus or any other appropriate writ, order or direction declaring the high handed action of the respondent No. 2 and 3 in proceeding with the construction of compound wall in Survey No. 242 of Mailaram Village, Wargal Mandal, Siddipet District as illegal, arbitrary, unjust and contrary to the direction of this Honorable Court in W P No. 18712 of 2018 dated. 7/06/2018 and consequentially direct the Respondents to fix the boundary stones as per the Joint Inspection Report of Forest Range Officer and Deputy Inspector Survey, Gajwel namely the Respondent No. 3 and 5 dated. 15/2/2019 of Survey No. 242, Mailaram Wargal mandal of Siddipet district by deleting the portion of land admeasuring Ac 31.29 guntas from the Reserve Forest, Gajwel Shrief.

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 Respondents 2 and 3 and their sub ordinates from constructing the Compound Wall by encroaching the land of the Petitioners admeasuring Ac 26.00 guntas in Survey No. 242 of Mailaram village, Wargal Mandal, Siddipet District pending disposal of WP 33708 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 M S N PRASAD, Advocate for the Petitioners, GP FOR FORESTS for the Respondent Nos.1 to 3 and GP for Revenue, for the Respondent Nos.4 to 7, the Court made the following.

ORDER:

Learned counsel for the petitioners submits in respect of the very same subject survey number, order dated 07.06.2018 was passed in W.P.No.18712 of 2018, directing the Forest and Revenue officials to hold a joint survey and to fix the boundaries of the subject lands within a period of two months from the date of the order. Learned counsel further submits that in pursuance of the said order, joint survey was conducted on 15.12.2019, however boundary stones were not fixed. Now, the respondents are proceeding to construct compound wall in the subject land.

Learned Assistant Government Pleader for Forests submits that boundary stones have been fixed after joint survey was conducted, and seeks time to get instructions.

As it is asserted by learned counsel for the petitioners that boundary stones have not been fixed and the order passed in W.P.No.18712 of 2018 has not been complied in-toto, *status quo* obtaining as on today shall be maintained till the next date of hearing.

Post on 08.09.2022.

SD/- K. VENKAIAH
ASSISTANT REGISTRAR

//TRUE COPY//

SECTION OFFICER

To,

1. The Principal Secretary Forest Department, State of Telangana, Secretariat Building Hyderabad
2. The District Forest Officer, Siddipet District, Telangana
3. The Forest Range Officer, Gajwel Division, Siddipet district
4. The Revenue Divisional Officer, Gajwel Division Siddipet District
5. The Deputy Inspector of Survey, Gajwel, Siddipet District
6. The Mandal Surveyor, Wargal Mandal Siddipet District
7. The Mandal Surveyor, Gajwel Mandal Siddipet District. (1 to 7 by RPAD)
8. One CC to SRI M S N PRASAD Advocate [OPUC]
9. Two CCs to GP FOR FORESTS, High Court at Hyderabad. [OUT]
10. Two CCs to GP FOR Revenue, High Court at Hyderabad. [OUT]
11. One spare copy

mvj

HIGH COURT

BVR,J

DATED:25/08/2022

POST ON 08-09-2022

ORDER

WP.No.33708 of 2022

DIRECTION

