



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

**TUESDAY, THE NINTH DAY OF DECEMBER
TWO THOUSAND AND TWENTY FIVE**

PRESENT

THE HONOURABLE SRI JUSTICE ANIL KUMAR JUKANTI

WRIT PETITION NO: 28467 OF 2016

Between:

1. Vattikonda Sambasiva Rao, S/o late Nageswara Rao Aged 60 years occ Rtd. Employee r/o H.No. 6-200 Srinagar 5th lane, Laxmidevipally, Kothagudem, Khammam District.
2. Vattikonda Appa Rao, S/o late Nageswara Rao Aged 58 years occ cultivation r/o H.No. 6-201 Srinagar 5th lane, Laxmidevipally, Kothagudem, Khammam District.
3. Vattikonda Papa Rao, S/o late Nageswara Rao Aged 53 years occ employee C/o H.No. 6-200 Srinagar 4th lane, Laxmidevipally, Kothagudem, Khammam District.
4. Kothapally Nageswara Rao, S/o late Nancharaiah Aged 45 years occ agriculture r/o H.no.3-1-137 Hanuman basti, Kothagudem, Khammam Dist.
5. Medarametla Veeraiah, S/o Raghavaiah rep. by his GPA Holder Kothapally Nageswara Rao S/o late Nancharaiah Aged 45 years occ agriculture r/o H.no.3-1-137 Hanuman basti, Kothagudem, Khammam Dist.
6. Ravikanti Manohar Rao, S/o late Ram mohan Rao Aged 48 years occ business r/o H.no. 6-3-153 pedda bazaar, Kothagudem, Khammam District.
7. Medarametla Venkata Chowdari, S/o Koteswar Rao aged 56 years Occ Agriculture r/o H. no.9-35/1A/2 Laxmidevi pally, Kothagudem, Khammam District.

...PETITIONERS

AND

1. The State of Telangana, Rep. by its Principal Secretary, Revenue Department, Secretariat, Hyderabad
2. The District Collector, Khammam, Khammam District,
3. The Joint Collector, Khammam, Khammam District,
4. The Revenue Divisional Officer, Kothagudem, Khammam District.
5. The Tahasildar, Kothagudem, Khammam District,
6. The District Forest Officer of Kothagudem, Kothagudem District.
7. The District Forest Officer of Khammam, Khammam District.



8. The Collector Bhadradi Kothagudem

RR6 and 7 are suo moto impleaded as per C.O.dt.11.11.2025.

R8 is Suo motu impleaded as per C.O. dt 9/12/2025.

...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 writ or ion preferably writ of mandamus declaring the show cause notices dt.11-8-2016 issued by the respondent no.2 i.e. bearing Rc. No. E3/1496/2009/25 (addressed to the late father of petitioner nos. 1 to 3) Rc. No. E3/1496/2009/55 issued to the petitioner -no.4 Rc. No.E3/1496/2009/54 issued to the petitioner no.5 and Rc. No. E3/1496/2009/23 addressed to the late father of the petitioner no.6 and Rc. No. E3/1496/2009/44 issued to the petitioner no.7 for cancellation of pattadar pass books and title deeds in respect of lands in Sy.no.17 of Laxmidevipally(v) Kothagudem(M) of Khammam District, concerning the writ petitioners as illegal, arbitrary, contrary to record, without jurisdiction and violative of principles of natural justice and consequently set aside the said show cause notices dt.11-8- 2016.

I.A. NO: 1 OF 2016(WPMP. NO: 35245 OF 2016)

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 grant stay of all further proceedings pursuant to the show cause notices dt.11-8- 2016 issued by the respondent no.2 in respect of lands in Sy.no.17 of Laxmidevipally(v) Kothagudem(M) of Khammam District, concerning the writ petitioners, pending the disposal of writ petition in the interest of justice.

IA NO: 1 OF 2025

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 permit the petitioners 1,2&3 herein to withdraw the WP No.28467/2016 to that extent.



2025:TSHC:60788

**Counsel for the Petitioners: SRI HANUMANTHA RAO FOR
SRI KOWTURU PAVAN KUMAR**

**Counsel for the Respondent Nos.1 to 5 & 8: Ms.DARA HARITHA KIRAN,
AGP FOR REVENUE**

Counsel for the Respondent Nos.7 & 8: AGP FOR FORESTS

The Court made the following: ORDER



2025:TSHC:60788

HIGH COURT FOR THE STATE OF TELANGANA

AT HYDERABAD

THE HON'BLE SHRI JUSTICE ANIL KUMAR JUKANTI

WRIT PETITION No.28467 of 2016

DATE OF ORDER 09.12.2025

Between:

1. Vattikonda Sambasiva Rao and 6 others.

... petitioners

And

1. State of Telangana, Rep by its Principal
Secretary, Revenue Department,
Secretariat, Hyderabad and 4 others.

...respondents

ORDER:

This Writ Petition is filed seeking the following relief:

“... to issue writ or direction preferably writ of mandamus declaring the show cause notices dt:11-8-2016 issued by the respondent No.2 i.e. bearing Rc.No.E3/1496/2009/25 (addressed to the late father of petitioner nos.1 to 3); Rc.No.E3/1496/2009/55 issued to the petitioner no.4; Rc.No.E3/1496/2009/54 issued to the petitioner no.5; and Rc.No.E3/1496/2009/23 addressed to the late father of the petitioner no.6; and Rc.No.E3/1496/2009/44 issued to the petitioner no.7 for cancellation of pattedar pass books and title deeds in respect of lands in Sy.no.17 of Laxmidevipally(v) Kothagudem(M) of Khammam District, concerning the writ petitioners as illegal, arbitrary, contrary to record, without jurisdiction and violative of principles of natural justice and consequently set aside the said show cause notices dt:11-8-2016 and pass such other or further orders as this Hon'ble court deems fit and proper in the circumstances of the case....”



2. Heard Mr. Hanumantha Rao, learned counsel representing Mr.Kowturu Vinaya Kumar, learned counsel for petitioners, Ms.Dara Haritha Kiran, learned Assistant Government Pleader for Revenue appearing for respondent Nos.1 to 5 and learned Assistant Government Pleader for Forests appearing for respondent Nos.6 and 7.

3. It is submitted by learned counsel for petitioners that show cause notices, dated 11.08.2016 (Ex.P1 annexed at Pg.Nos.15 to 19) were issued by Office of Superintendent (B-Section), Collectorate, Khammam. The following are the contents of show cause notices:-

"In the reference cited, the Revenue Divisional Officer, Kothagudem has submitted the report stating that, the land in Sy.No.17 measuring to an extent of Acsr.2194.00 gts in Laxmidevipalli Village of Kothagudem Mandal was notified in the Chatakonda Reserve Forest Area vide Notification Gazette No.1 dt:03.01.1355 Fasli U/s 18 of Hyderabad Forest Act, 1326 Fasli and the then Tahsildars issued pattas and PPBs/TDs irregularly in the forest land and requested to cancel the PPBs/TDs.

Further vide reference 2nd cited, the Tahsildar, Kothagudem has reported that (63) persons were issued PPBs/TDs in Sy.No.17 Laxmidevipalli Village assuming that these lands are treated as patta lands and requested to cancel the pattadar passbooks and Title deeds issued in favor of them. Sri Vatekonda Nageswara rao S/o. Papaiah is one among them and he was issued PPBs/TDs in Laxmidevipalli Village for the lands to an extent of Acsr.8.00 gts in Sy.No.17/1/u/2 by the then Tahsildar, Kothagudem.

Hence, Sri Vatekonda Nageswara rao S/o.Papaiah is directed to submit written explanation as to why the entries made in Revenue Records and Pattadar pass books and title deeds for



the above mentioned lands should not be cancelled and also directed him to attend personal hearing on at 4.00 PM on 18.08.2016 at Collectorate, Khammam along with evidences to support your claim.

If no appearance is made on your behalf, by yourself or by your pleader or by someone authorized to act for you in this appeal, it will heard and decided in your absence as per the material available on record."

4. Copies of representations submitted to the Office of Tahsildar, Kothagudem Mandal on 19.08.2016, are placed on record (Ex.P3 annexed at Pg.Nos.21 to 35). Pattadar Adangals/Pahani copies, Form 1B, Form 13 B and Form 13 C Namunas are annexed (Exs.P4 to P8, annexed at Pg.Nos.37 to 116).

5. It is the specific case of petitioners that they have been enjoying the subject lands by cultivating the same for decades uninterruptedly and that they have also been issued pattadar pass books in respect of the same. That they received show cause notices with contents stating that in Sy.No.17 of Laxmidevipalli Village, an extent of Acs.2194.00 gts., was notified in Chatakonda Reserve Forest Area vide Notification Gazette No.1 dated 03.01.1355 Fasli under Section 18 of Hyderabad Forest Act, 1326 Fasli. Respondent No.5-Tahsildar reported that 63 persons were

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issued pattadar pass books treating these lands as patta lands and requested to cancel pattadar pass books and title deeds issued in their favour.

6. As noted from the contents of show cause notices, it is observed that pattadar pass books were issued in respect of different extents of lands in Sy.No.17 by the then Tahsildar, Kothagudem, but, in spite of pattadar pass books being granted, the said land is being claimed to be reserved forest land.

7. It is brought to the notice of this Court that petitioners' representations made in this regard are still pending before the concerned offices of Tahsildar.

8. Learned counsel for petitioners invited attention of this Court to interim order, dated 26.08.2016 passed by this Court in W.P.M.P.No.35245 of 2016, by which interim stay as prayed for was granted and same is still operating.

9. Learned Assistant Government Pleader for Forests appearing for respondents No.6 and 7, *suo motu* impleaded as party respondents (by this Court), submitted that land being claimed by petitioners is part of Reserved Forest and



it is for the Forest Department to decide whether land in occupation by petitioners forms part of Reserved Forest as per the notification issued under Section 4 of the Telangana Forest Act, 1967 (for short 'The Act, 1967').

10. Counter-affidavit is filed by office of Tahsildar-respondent No.5. Relevant paragraphs of the counter-affidavit containing the details pertaining to each of the petitioners are as follows:

"Para No.2:- In reply to the averments made at para No.2 of the petitioner's affidavit, it is respectfully submit that, it is a fact that the District Collector, Khammam has issued a Show Cause Notice in the name of Sri Vattikonda Nageswar Rao who is the father of writ petitioners 1, 2, and 3 herein and the said Vattikonda Nageswar Rao was died on 09-04-2013 basing on the report of the then Revenue Divisional Officer, Kothagudem in which it was stated that the land in Sy.No.17 measuring to an extent of Acs.2194.00 gts in Laxmidevipally village of Kothagudem Mandal was notified in the Chatakonda Reserve Forest Area vide Notification Gazettee No.1 dt.03.01.1355 Fasli U/s 18 of Hyderabad Forest Act, 1326 Fasli and the then Tahsildars issued Pattas and PPBS/TDs irregularly in the forest land and requested to cancel the PPBs/TDs. Further the Tahsildar, Kothagudem vide Rc.No.B/728/2016, dt. 08.08.2016 has reported that (63) persons were issued PPBs/TDs in Laxmidevipally village assuming that these lands are treated as patta lands and requested to cancel the Pattadar Pass books and Title deeds issued in favour of them. Sri Vattikonda Nageswar Rao S/o Papaiah is one among them and he was issued PPBs/TDs in Laxmidevipally village for the lands to an extent of Acs. 8.00gts in Sy.No.17/1/u/2 by the then Tahsildar, Kothagudem. Hence, Sri Vattikonda Nageswar Rao who is the father of the writ petitioners 1, 2 and 3 herein was issued a Show Cause Notice directing him to submit written explanation as to why the entries made in Revenue Records and PPBs and TDs for the above mentioned lands should not be cancelled. Therefore, the contention of the petitioner in this para



that the respondent no.2 has issued notice without jurisdiction is not correct and not tenable.

7. **Para No.3:-** In reply to the averments made at para No.3 of the petitioner's affidavit, it is respectfully submit that, it is contended that, the petitioner nos.1 to 3 is the legal heirs of late Vattikonda Nageswar Rao who was owner of the land admeasuring Ac.8-00gts, in Sy.No.17/1/vu/2 situated Laxmidevipally(v), Kothagudem (M) of Khammam Dist. After his death, the said land was succeeded by Vattikonda Sambasivarao. Joint survey has been done by Forest Department and Inspector of Survey, S&LR, Bhadradri Kothagudem on 04.07.2023 and they concluded that land of Vattikonda Sambasivarao i.e., extent Ac.8.00 gts, Sy.No.17/1/VU/2 is not covered in Reserve Forest. Later in Bhubharathi the land was digital signed to Vattikonda Sambasivarao.

8. **Para No. 4:-** In reply to the averments made at para No.4 of the petitioner's affidavit, it is respectfully submit that, it is contended that, the petitioner No.4 herein is owner of Ac.2.20gts., in Sy.No.17/1/vu2 and vu3 situated at Laxmidevipally village, Kothagudem Mandal of Khammam District and he is also the registered GPA holder of the petitioner No.5 who owns land in the same village admeasuring Ac.1.00 gts in Sy.No.17/1/vu1. But the Revenue Divisional Officer, Kothagudem and Tahsildar, Kothagudem have submitted reports that the then Tahsildars issued Pattas and PPBS/TDs irregularly in the forest land in Sy.No.17 of Laxmidevipally village and requested to cancel the PPBS/TDs. Forest Department & Inspector of Survey, S&LR, Bhadradri Kothagudem has not given any certificate that petitioner No.4's & petitioner 5's lands are not covered in Reserve Forest. Therefore the contention of the petitioner in this para is not tenable.

9. **Para No. 5:-** In reply to the averments made at para No.5 of the petitioner's affidavit, it is contended that, the grandfather of the petitioner No.6 herein has purchased the land in Sy.No.17/1/aa1 to an extent of Ac.2-22 gts of Laxmidevipally village, Kothagudem Mandal of Khammam Dist., by a registered document. Later the father of the petitioner was issued pattedar pass books and title deeds and after death of his father the petitioner No. 6 name was incorporated after the death of his Grandfather basing upon the will deed. But the Revenue Divisional Officer, Kothagudem and Tahsildar, Kothagudem have submitted reports that the then Tahsildars have issued Pattas and PPBS/TDs irregularly in the forest land in Sy.No.17 of Laxmidevipally village and requested to cancel the PPBs/TDs. Forest Department & Inspector of Survey, S&LR, Bhadradri Kothagudem has not given any certificate that petitioner No.6's land is not covered in



Reserve Forest. Therefore the contention of the petitioner in this para is not tenable.

10. **Para Nos. 6, 7 and 8:-** In reply to the averments made at para Nos.6, 7 and 8 of the petitioner's affidavit, it is contended that, the petitioner No.7 herein have purchased the subject land from some others and he is in possession and enjoyment of the land Ac.2.00 gts in Sy.No.17/1/E of Laxmidevipally revenue village and pass book and title deeds may be issued to him. The earlier officers have issued pattadar pass books and title deeds to the petitioner erroneously or wrongly. When there is a doubt/suspicion on issue of patta pass books and title deeds in the forest lands i.e., in the Government property to others, it is the bounden duty of the concerned Government officers to make enquiries again and again to find the genuinity of the matter. Moreover, the subject lands are located in notified Scheduled Agency area. The Revenue Divisional Officer, Kothagudem and Tahsildar, Kothagudem have submitted reports dated that the then Tahsildars have issued Pattas and PPBS/TDs irregularly in the forest land in Sy.No.17 of Laxmidevipally village and requested to cancel the PPBs/TDs. Forest Department & Inspector of Survey, S&LR, Bhadradi Kothagudem has not given any certificate that petitioner No.7's land is not covered in Reserve Forest. Therefore the contention of the petitioner in this para is not correct and not tenable.

11. **Para Nos.9, 10 and 11:-** In reply to the averments made at para Nos.9, 10 and 11 of the petitioner's affidavit, it is respectfully submit that, during October, 2016 the Government of Telangana has created new districts by bifurcating the existing districts. Accordingly, the erstwhile Khammam District was bifurcated and a new District with the name of Bhadradi Kothagudem was formed. The subject land of the writ petition was came under the jurisdiction of Bhadradi Kothagudem District. In this regard it is further submitted that, in the meanwhile in pursuance of the instructions issued by the District Collector, Bhadradi Kothagudem vide Grievance Petition No. LM2300000272, dt.10.10.2023 & representations of Sri Vattikonda Sambasivarao S/o Nageswara Rao(late), Tummla Koteswara Rao S/o Dasaradha Ramaiah and Smt.Patibandla Jhansi W/o Venkateswaralu (late) in the grievance with a request for issuance of ePPBs in Sy.No.17/1/VU/2 to an extent of Ac.8.00 gts in the name of Vattikonda Samasivarao, the Sy.No.17/1/VU/1 to an extent of Ac.9.15 gts in the name of Tummalapalli Koteswara Rao S/o Dasaradha Ramaiah and the Sy.No.17/1/VU/3, to an extent of Ac.7.25 gts in the name of Smt.Patibandla Jhansi W/o Venkateswaralu(late) situated at Lothuvagu GP, Laxmidevipalli Village and Mandal. The Inspector of



Survey, Survey & Land Records, Bhadradi Kothgudem along with Forest officials in presence of petitioners (writ petitioner herein) have conducted joint survey on 04.07.2023 along with concerned records covering the writ subject land. During verification the joint survey team has observed that the following persons (the writ petitioners herein) are in possession and cultivating the lands in their respective survey numbers.

Sl.No.	Name & Address	Village	Sy.No.	Extent of Acres.Gts
1	Vattikonda Sambasiva Rao S/o Late Nageswar Rao, R/o Srinagar Colony, Kothagudem	Laxmidevipally	17/1/6/2	8.00
2	Patibandla Jhansi W/o Venkateswarlu, R/o Gajularajam basthi, Kothagudem	Laxmidevipally	17/1/6/3	7.25
3	Tummala Koteswar Rao S/o Dasaradha Ramaiah, R/o Sanjay Nagar, Laxmidevipally	Laxmidevipally	17/1/6/1	9.15
			Total	25.00

In this regard it is further submitted that, on verification of Teensal Pahani (1955-1958) of Laxmidevipalli revenue village the land in Sy.no.17/6 extent Ac.25.00 gts was recorded in the name of Smt.Mirajunnisa Begum as Pattadar and enjoyer of the said land and it was not mentioned that it is Patta land and this column was kept blank in Teensal pahani. In the Pahani for the year 1960-61, the land in Sy.no.17/6 to an extent of Ac.25.00 gts was recorded in the name of Sri Mirjahussian Al Beg. His name was recorded as Pattadar and enjoyer of the said land and it was not mentioned that, it is Patta land. From the pahani 1962-63 to Pahani 2014-2015, the land in Sy.No.17/6 (17/1/Vu) to an extent of Ac.25.00 gts was recorded as Patta Land.

In this regard as per the enquiry report submitted by the Girdawar-1, Laxmidevipally and as per the Joint Survey report, it is revealed that, Smt. Mirajunnisa Begum, W/o Basheeruddin R/o Hyderabad is having patta land of an extent of Acs 320.00gts. in Sy.No.72 situated at Tungaram village of Chandrugonda Mandal of Bhadradi Kothagudem District. As there was no Bancharai land for Common grazing purpose of animals and for usage of villagers of Tungaram Village of Chandrugonda Mandal of Bhadradi Kothagudem District, the villagers have requested the Revenue authorities to provide land to an extent of Acs.200.00gts of Bancharai land for the said village. On the request of the villagers of Tungaram, the then Collector/Revenue officials have initiated proposals to acquire land of Smt.Meerajunnis Begum W/o Basheeruddin and thereupon the officer of the then



board of Revenue agreed for the proposals of the revenue officials concerned and obtained the consent of the pattadar Smt. Meerajunnis Begum and taken over possession of the land Ac.200.00gts from the possession of the pattadar promising her to allot similar land at another place on compensatory ground for which the pattadar has given her consent.

Later, the revenue officials have identified the Government land in Sy.No.365 to an extent of Ac.175.00gts situated in Penagadapa Village of Chunchupally Mandal and balance extent of Ac.25.00gts in Sy.no.17 of Laxmidevipally Village and allotted to her in the year 1956. Out of the land allotted to her, some of the extent of land was illegally occupied by one Sri Vemula Raghaviah and his sons. They have filed O.S.No.67/1966 along with IA No.173/1966 against Pattadar Smt.Meerajunnisa Begum before the Principal District Munsiff Court at Kothagudem which was finally ended due to compromise between the parties and a compromise decree was passed in favour of Pattadar to an extent of Ac.15.25 gts and the balance Ac.9.15gts was allotted to the defendants. Thereupon a survey was conducted and land divided in between Pattadar and Defendants as per decree. Further, one Smt. Pendurthi Saradhamba W/o Srinivasa Rao has purchased the land to an extent of Ac.15.25gt in Sy.No.17 from Smt. Meerajunnisa Begum W/o Basheeruddin vide Regd.Doc.No.315/K dt.16/05/1969 at Sub Registrar, Yellandu. Later on 18/09/1969, Sri Vattikonda Nageswara Rao S/o Papaiah father of Sri Vattikonda Sambasiva Rao (the writ petitioner-1 herein) has purchased the land in Sy.no.17/1 to an extent of Ac.8.00 gts from Smt. Pendurthi Saradamba W/o Srinivasa Rao. Sri Vattikonda Nageswara Rao was issued old PPB for the land in Sy.No.17/1/Vu2 to an extent of Ac.8.00gt situated in Laxmidevipally (V) vide Khata no.39 vile PPB No.187008. Later he was expired on 09/04/2013 Petitioner No's.1 to 3 are the successors of Sri. Vattikonda Nageswararao (Late).

In Joint survey report submitted by the Inspector of Survey, S&LR, Bhadradi Kothagudem along with Deputy Inspector of Surveyor, Kothagudem Division, Mandal Surveyors, Forest Best Officer, (I/c) Lothuvagu Beat, Deputy Range Officer, Chathakonda Section, Forest Range Officer, Kothagudem Range it was concluded that the petitioners (writ petitioner no.1 herein) land is existing outside Reserve Forest and it was mentioned in the Forest Gazette there is mentioned about the some land is excluded from the Reserve Forest Chathakonad at common boundary of Laxmidevipalli & Karukonda (V) which coincides with the land in question,



The Inspector of Survey, S&LR, Bhadradi Kothagudem has submitted report to Collector & District Magistrate, Bhadradi Kothagudem vide Rc.No.A3/149/2023,dt.04.08.2023 stating that, on verification of ground position as per Village Map, Revenue Pahanies and fixed the Revenue land boundaries in Sy.No. 17 of Laxmidevipally Village and Mandal. The survey team has taken the coordinates of physical Forest pillars which are shown by the Forest department officials in ground possession, fixed the Forest Land boundaries, conducted the enjoyment survey of petitioners shown their land boundaries in ground. Sri Vattikonda Sambasiva Rao S/o Nageswar Rao(late) has shown his land boundaries to an extent of Ac.8.00gts in Sy.No.17/P2. The petitioner is cultivating and enjoying this land and the petitioners lands not covered in the Reserve Forest, that land covered in Revenue land in Sy.No.17 of Laxmidevipally Village and Mandal. The same was prepared in the form of Location Sketch.

The Joint Survey team has finalized the Joint Survey report that the petitioners (writ petitioner herein) land not covered in the Reserve Forest, those lands are within the Revenue boundary of Laxmidevipalli Revenue village and comes under the Sy.No.17. Later, in Bhubharathi portal, the land in Sy.No.17 to an extent of Ac.8.00 gts was Digital signed in the name of Sri. Vattikonda Samabasivarao."

11. On perusal of contents of counter affidavit filed by Tahsildar, it is observed that the office of Tahsildar, (Laxmidevipally Village), stated that as per the joint survey report submitted by Inspector of Survey, land of petitioner No.1 is existing outside the Reserve Forest area.

12. Written instructions are received and placed before this Court from the office of Forest Divisional Officer, Kothagudem, dated 01.12.2025. Contents of written instructions are as follows:-



"In this connection, the averments made by the petitioners in the above writ petition. it is submitted that, the Sl No.1, 2, and 3 where submitted a representation to the District Collector & District Magistrate, Bhadradi Kothagudem in the Grievance with a request for issuance of ePPBs for the land in Sy.No.17/1/VU/2 for an extent of Ac. 8.00 gts situated at Lothuvagu GP, Laxmidevipalli village and Mandal. The District Collector & District Magistrate, Bhadradi Kothagudem has addressed a letter to the A.D.S.L. R. & District

Further it is submitted that, the A.D.S.L.R, has letter addressed to the under signed and requested to supply the Gazette Notification of Laxmidevipalli village for conducting of the Forest and Revenue land joint survey in Sy.No.17 of Laxmidevipalli village & Mandal. A copy of the Forest Gazette Notification is communicated to the A.D.S.L.R. Kothagudem. Further, It is respectfully submitted that the land claimed by the petitioners 4 to 7 falls within the *Chatakonda Reserve Forest Block*, which was duly notified as a Reserve Forest under Section 18 of the Hyderabad Forest Act, 1355 Fasli. vide G.O.Ms.No.1083, dated 27.12.1354 F, published in Gazette No.1 dated 03.01.1355 F, Laxmidevipalli Get Sy.No.17 to an extent of Ac. 2,155.20 gts. The said area forms part of Lethuvaen & Chatakonda Beats of Chatakonda Section of Kothagudem Forest Range, under the administrative control of the Forest Divisional Officer Kothagudem.

Hence, the land in question is Reserve Forest land. As per the settled position of law, no private individual can claim ownership, possession, or cultivation rights over any portion of notified Reserve Forest land, except through the lawful process of de-reservation.

In view of the foregoing facts and submissions, giving opportunity of impleaded in writ petition as party respondents (Suo-moto) to the Forest Department, this Hon'ble High court, it is requested to Government Pleader for Forests to bring notice before the this Hon'ble Court and may be pleased to prayed for grant of (1) month time for filling detailed counter Affidavit in the above writ petition."

13. On a perusal of written instructions, it is evident that lands claimed by petitioner Nos.4 to 7 fall within Chatakonda Reserve Forest area notified under Section 18 of the Act, 1355. G.O.Ms.No.1083, dated 27.12.1354 F



speaks of an extent of Acs.2,155.20 of land in Sy.No.17 is reserved Forest block and it is under administrative control of the Forest Divisional Officer, Kothagudem. In other words, as per the instructions presented to the Court, land claimed by petitioner Nos.1 to 3 is not falling within the reserve forest area.

14. This Court is not inclined to enter into all these factual aspects, representations of petitioners are still pending before the concerned officer.

15. Section 4 of the Telangana Forest Act, 1967 is as follows:

"4. Notification by Government:- (1) Whenever it is proposed to constitute any land as a reserved Forest, the Government shall publish a notification in the Telangana Gazette and in the District Gazette concerned, if any;

(a) specifying, as nearly as possible, the situation and limits of such land;

(b) declaring that it is proposed to constitute such land as reserved forest;

(c) appointing a Forest Settlement Officer to consider the objections, if any, against the declaration under clause (b) and to enquire into and determine the existence, nature and extent of any rights claimed by, or alleged to exist in favour of, any person in or over any land comprised within such limits, or to any forest produce of such land, and to deal with the same as provided in this Chapter.

Explanation:- (1) For the purpose of clause (a), it shall be sufficient to describe the limits of the land by any well known or readily intelligible



boundaries, such as roads, rivers, bridges and the like.

(2) A person appointed to be a Forest Settlement Officer under clause (c) of sub-section (1) shall be an officer of the Revenue Department not below the rank of a Revenue Divisional Officer.

(3) Any forest officer may represent the Forest Department at the inquiry conducted under this Chapter."

16. Section 6 of the Telangana Forest Act, 1967 is as follows:

"6. Proclamation by Forest Settlement

Officer:- (1) Where a notification has been issued under section 4, the Forest Settlement Officer shall publish in the main language of the district, in the District Gazette concerned or where there is no such Gazette, in the Telangana Gazette, and in the regional language in every town and village and at the headquarters of each taluk and at the office of the Gram Panchayat, in which any portion of land included in the said notification is situate, a proclamation,-

(a) specifying, as nearly as possible, the situation and limits of the land proposed to be included within the reserved forest;

(b) setting forth the substance of the provisions of section 7;

(c) explaining the consequences which, as hereinafter provided, will ensue on the reservation of such forest; and

(d) fixing a period of not less than six months and not more than one year from the date of publishing such proclamation at the headquarters of the taluk, and calling for objections, if any, within the period so fixed from any person interested against the declaration under clause (b) of sub-section (1) of section 4, and requiring every person claiming any right in such land either to present to the said officer, within the period so fixed, a written statement specifying, or to appear before him within the said period and state, the nature of such rights, and in either case to produce all documents in support thereof.

(2) The Forest Settlement Officer shall also serve in the manner prescribed, a copy of the proclamation on every known or reputed owner or occupier of any land included in or adjoining the land proposed to be constituted as a reserved forest, or on his recognised agent or manager."



17. Once a notification is issued under Section 4 of the Act, 1967, it is deemed that entire extent of the land notified falls under the ambit of Forest Department. No other entity of State Government, in whatsoever manner, can interfere with the land notified by the Government, by virtue of Notification issued under Section 4 of the Act, 1967. This law is applicable to every parcel of land notified under Section 4 of the Act, 1967. It is for the office of Forest Department to protect the entire parcel of land notified in G.O.Ms.No.1083, dated 27.12.1354 F issued under Section 4 of the Act, 1967.

18. Representations/objections/explanations offered by petitioners in reply to show cause notices, dated 11.08.2016, are pending consideration before the concerned Tahsildar. Copies of the same shall be forwarded to the District Forest Officer and also to the office of the Collector concerned for consideration and disposal.

19. A request is made on behalf of petitioners to forward a copy of this order through the office of the learned Government Pleader to the office of Collector, Bhadradi-



Kothagudem, so as to ensure that the grievances of petitioners are redressed at an earliest date.

20. Collector, Bhadradri-Kothagudem is *suo motu* impleaded as party respondent.

21. Interim stay granted by this Court by order dated 26.08.2016 in W.P.M.P.No.35245 of 2016 shall continue till disposal of the representations/explanations/objections of petitioners.

22. The office of Collector in Co-ordination with the Forest department, if necessary, the police department shall enquire into the entire issue including the pattas issued by the Revenue department, by following due process of law and shall initiate steps, if any person or persons are in occupation of forest lands, they shall be evicted, if they are in occupation of forest land, so as to protect the forest land. A report shall be submitted to the office of Chief Secretary, on the entire issue, who shall take note of it and request for further action, if necessary. The report shall be submitted within six (6) months. Needless to state that interference by any shall be dealt with in accordance with law.



23. With the above observations, Writ Petition is disposed of. No costs.

Miscellaneous petitions, if any, pending in this writ petition shall stand closed.

SD/- S. MALLIKARJUNA RAO
ASSISTANT REGISTRAR

//TRUE COPY//

SECTION OFFICER

To,

1. The Principal Secretary, Revenue Department, Secretariat, Hyderabad
2. The District Collector, Khammam, Khammam District,
3. The Joint Collector, Khammam, Khammam District,
4. The Revenue Divisional Officer, Kothagudem, Khammam District.
5. The Tahasildar, Kothagudem, Khammam District,
6. The District Forest Officer of Kothagudem, Kothagudem District.
7. The District Forest Officer of Khammam, Khammam District.
8. The Collector Bhadradi Kothagudem.
9. One CC to SRI KOWTURU PAVAN KUMAR, Advocate [OPUC]
9. Two CCs to GP FOR REVENUE, High Court for the State of Telangana at Hyderabad . [OUT]
10. Two CCs to GP FOR FORESTS, High Court for the State of Telangana at Hyderabad . [OUT]
11. Two CD Copies

PMK
BN



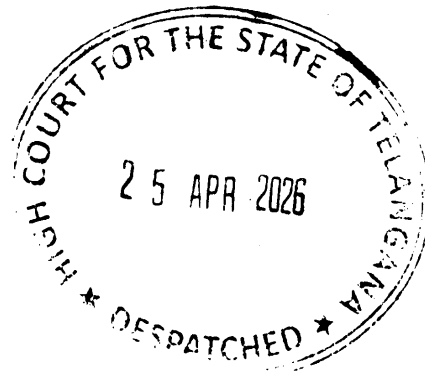
2025:TSHC:60788

HIGH COURT

DATED:09/12/2025

ORDER

WP.No.28467 of 2016



**DISPOSING OF THE WRIT PETITION
WITHOUT COSTS**

(15)

lpv
16/4/26