

**IN THE HIGH COURT OF ANDHRA PRADESH :: AMARAVATI
(Special Original Jurisdiction)**

**FRIDAY, THE TWENTY NINTH DAY OF DECEMBER
TWO THOUSAND AND TWENTY THREE**

PRESENT

THE HON'BLE SMT JUSTICE V.SUJATHA

WRIT PETITION NO: 18553 OF 2015



Between:

1. Tele Satyanarayana, S/o. late Ramanna, aged about 69 years, Occ: Cultivation, R/o. H.No. 4-121, Patapeta, Lakshminarayana Devi Peta (L.N.D.Peta) Village, Polavaram Mandal, West Godavari District.
2. Tele Venkateshu, S/o. T.Satyanarayana, aged about 47 years, Occ: Cultivation, R/o. H.No. 4-121, Patapeta, Lakshminarayana Devi Peta (L.N.D.Peta) Village, Polavaram Mandal, West Godavari District.
3. Tele Rambabu, S/o. T. Satyanarayana, aged about 44 years, Occ: Cultivation, R/o. H.No. 4-121, Patapeta, Lakshminarayana Devi Peta (L.N.D.Peta) Village, Polavaram Mandal, West Godavari District.

...PETITIONER(S)

AND

1. The State of Andhra Pradesh, Rep by its Principal Secretary, Forest Department, Secretariat Building, Secretariat, Hyderabad.
2. The District Collector, Eluru, West Godavari District.
3. The District Forest Officer, Eluru, West Godavari District.
4. The Tahsildar, Gopalapuram Mandal, West Godavari District.
5. The Forest Section Officer, Dondapudi Section, Kannapuram Range, Karagapadu Village, Gopalapuram Mandal, West Godavari District.
6. Guda Dhana Lakshmi W/o. Rangayya, aged 30 years, Hindu, S.C. Female, President, Vana Rakshana Samithi, Karagapadu Village Post, Gopalapuram Mandal, KJCJC.
7. Doddigarla Meri, W/o. Mangayya, aged 25 years, Hindu, S.C. Female, Member, Vana Rakshana Samithi, Karagapadu Village & Post, Gopalapuram Mandal, KJCJC.
8. Kandelli Ratnaji Rao, S/o. Venkanna, aged 30 years, Hindu, S.C. Male, Member, Vana Rakshana Samithi, Karagapadu Village & Post, Gopalapuram Mandal, KJCJC.
9. Vuppati Gurayya, S/o. Musalayya, aged 30 years, Hindu, S.C. Female, Member, Vana Rakshana Samithi, Karagapadu Village & Post, Gopalapuram Mandal, KJCJC.

10. Torlani Atchamma, W/o. Venkanna, aged 45 years, S.C. Mala, Member, Vana Rakshana Samithi, Karagapadu Village & Post, Gopalapuram Mandal, KJCJC.
 11. The Station House Officer, Gopalapuram P.S., Gopalapuram, West Godavari District.
 12. The Asst. Conservator of Forests, Dondapudi Section, Kannapuram Range, Karagapadu Village, Gopalapuram Mandal, West Godavari District.
- (RR6 to 12 are impleaded as per C.O. dt. 18/09/2015 in WPMP 32732/2015)

...RESPONDENTS

Petition under Article 226 of the Constitution of India is filed praying that in the circumstances stated in the affidavit filed therewith, the High Court may be pleased to issue a writ petition or order more particularly one in the nature of writ of mandamus declaring the action of the 3rd respondent in trying to illegally encroach upon the petitioners land admeasuring Ac 5.00 cents in Sy.No. 60/1, consists cashew and mango trees situated at Karagapadu Village and Panchayat, Gopalapuram Mandal, West Godavari District, without notice, even knowledge about the decree and judgment dt. 03.05.2006 made in O.S.No.629 of 1998 on the file of the I Additional Junior Civil Judge, Kovvuru, declaring the petitioners as the absolute owners and possessors of their respective land, as well the same was ended in finality as the respondents failed to file any appeal against the decree and judgment dt. 03.05.2006 made in OS No.629 of 1998 on the file of the I Additional Junior Civil Judge, Kovvuru, as illegal, arbitrary, unconstitutional, colourable exercise of powers, violative of Articles 14, 19 (1) (g), 21 and Article 300-A of Constitution of India apart from violative of well settled principles of natural justice, consequently direct the 2nd respondent to consider the representation of the petitioners dt.18.05.2015 to issue appropriate directions to the respondents 3 and 5 not to encroach the petitioners land and without following due process of law.

A. NO: 3 OF 2015(WPMP. NO: 32733 OF 2015)

Petition under Section 151 CPC is filed praying that in the circumstances stated in the affidavit filed in support of the writ petition, the High Court may be pleased to direct the respondents 6 to 10 and 12 not to encroach upon the petitioners land admeasuring of 5 acres, consisting of Cashew and Mango Trees in Sy.No.60/1, situated at Karagapadu Village and Panchayat, Gopalapuram Mandal, West Godavari District, pending disposal of the main writ petition.

I.A. NO: 4 OF 2015(WPMP. NO: 32734 OF 2015)

Petition under Section 151 CPC is filed praying that in the circumstances stated in the affidavit filed in support of the writ petition, the High Court may be pleased to direct the 11th respondent to register complaint against the respondents 3, 6 to 10 and 12 for encroaching upon the petitioners peaceful possession and enjoyment of the land admeasuring of 5 acres, consisting of Cashew and Mango Trees in Sy.No.60/1, situated at Karagapadu Village and Panchayat, Gopalapuram Mandal, West Godavari District, pending disposal of the main writ petition.

I.A. NO: 1 OF 2015(WPMP. NO: 23999 OF 2015)

Petition under Section 151 CPC is filed praying that in the circumstances stated in the affidavit filed in support of the writ petition, the High Court may be pleased to direct the respondents 3 and 5 not to encroach up on the petitioners land admeasuring Ac 5.00 cents consists of cashew and mango trees situated at Karagapadu Village and Panchayat, Gopalapuram Mandal, West Godavari District, pending disposal of the above writ petition and pass such other order or orders may deem fit and proper in the circumstances of the case.

Counsel for the Petitioner(s): SRI GODEY SATISH

Counsel for the Respondents No. 1 to 4: GP FOR REVENUE

Counsel for the Respondent No.5: GP FOR FORESTS

Counsel for the Respondents No.6 to 12:—

The Court made the following: ORDER

THE HONOURABLE SMT. JUSTICE V. SUJATHA

WRIT PETITION No.18553 of 2015

ORDER:

At the time when the matter was taken on 07.12.2023, there was no representation on behalf of the petitioners and the matter was posted to 14.12.2023. Even on 14.12.2023, when the matter was called, there was no representation on behalf of the petitioners and the matter was posted to 29.12.2023, under the caption "for dismissal".

Even today, when the matter was called, there was no representation. It appears that the petitioners are not evincing any interest in the present case.

Accordingly, this writ petition is dismissed for default. No costs.

As a sequel thereto, miscellaneous petitions, if any, shall stand closed.

//TRUE COPY//

**SD/- B. CHITTI JOSEPH
ASSISTANT REGISTRAR**


SECTION OFFICER

To,

1. One CC to SRI GODEY SATISH Advocate [OPUC]
2. Two CCs to GP FOR FORESTS, High Court of Andhra Pradesh [OUT]
3. Two CCs to GP FOR REVENUE, High Court of Andhra Pradesh [OUT]
4. Three C.D. Copies

Nm

MBT

HIGH COURT

DATED: 29/12/2023

ORDER

WP.No.18553 of 2015



**DISMISSING THE WP FOR
DEFAULT WITHOUT COSTS**