

**HONOURABLE SMT. JUSTICE V.SUJATHA**

**WRIT PETITION No.27597 of 2015**

**ORDER**

This petition is filed under Article 226 of the Constitution of India, seeking the following relief:-

*“....to issue a Writ, order or direction more particularly one in the nature of writ of Mandamus, declaring the action of the Respondents in trying to make constructions in Sy.No.316 of Lalpuram Village, Guntur Rural Mandal, Guntur District, which has been classified as Tank Porambok, as illegal and arbitrary and further direct the Respondents not to make any construction in Sy.No.316, which has been classified as Tank Porambok and pass such other order or orders as may deem fit and proper in the circumstances of the case.”*

At the time of hearing, the learned counsel for the petitioner and learned Assistant Government Pleader for Revenue conjointly submitted that the issue involved in this Writ Petition is squarely covered by the order passed by Hon’ble Division Bench of this Court in WP(PIL) No.140 of 2022 and batch, dated 14.09.2022, which is as follows:

*“Considering the matter in its entirety and the significant public interest involved, we deem it appropriate to issue the following directions to the authorities:*

*(i) The executive authority, i.e., Panchayat Secretary, of the respective Gram Panchayats in the State shall identify the Gram Panchayat lands, which are unauthorizedly occupied/encroached, and take steps for removal of such encroachments by issuing notice and providing opportunity of hearing to the unauthorized occupants/encroachers in terms of the procedure prescribed in Rules of 2011. This complete exercise shall be done within a period of six months from today.*

*(ii) So far as the encroachments over the lands concerning the Municipalities/Forest Department/Revenue Department are concerned, even if no separate Rules have been framed prescribing the procedure to be followed in the matter of removal of encroachments over those lands, the officials of the concerned Departments, i.e., the Departments of Municipal Administration, Forest and Revenue, shall also undertake and complete the exercise of identification of unauthorized occupations/encroachments over the lands belonging to their respective Departments, within a period of two months from today, and thereafter, take steps for removal of such encroachments by following the principles of natural justice, i.e., issuing notice and providing opportunity of hearing to the unauthorized occupants/encroachers, within a further period of four months.*

*With the above directions, the writ petitions are allowed”.*

and requested this Court to pass the similar order.

Therefore, in view of the above submissions, this Writ Petition is allowed in terms of order dated 14.09.2022 passed by Hon’ble Division Bench of this Court in WP(PIL) Nos.140 of 2022 and batch.

The Registry is directed to append copy of Order of this Court in WP(PIL) No.140 of 2022 dated 14.09.2022, along with this order. There shall be no order as to costs.

As a sequel, Interlocutory Applications pending, if any, in this Writ Petition, shall stand closed.

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**JUSTICE V.SUJATHA**

Date : 05.12.2022

ARR

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