

HON'BLE SRI JUSTICE S.V.BHATT

WRIT PETITION No.12858 of 2007

ORDER:

Heard Mr.C.Ramachandra Raju for petitioners and the Assistant Government Pleader for Revenue.

The petitioners substantially seek enforcement of communal right vested in the villagers of Pedagogulapally Revenue Village, Chandra Sekhara Puram Mandal, Prakasam District, against conversion of land classified as Grazing poramboke in an extent of Ac.257.60 cents, Ac.198.68 cents and Ac.72.22 cents in Sy.Nos.106, 392 and 399/2 respectively of Pedagogulapally Revenue Village, Chandra Sekhara Puram Mandal, Prakasam District, as illegal, violative of A.P.Panchayat Raj Act, 1994 and without jurisdiction.

This Court ordered Rule Nisi on 27.11.2009.

The 4th respondent filed counter affidavit. The 4th respondent through his counter affidavit tries to justify the conversion of grazing poramboke land into assessed waste and thereafter grant house site pattas or assignment to eligible persons. The 4th respondent further justifies that there is necessity for converting grazing poramboke land, for even after conversion, the cattle from the village will have sufficient land for grazing purpose.

Mr. Ramachandra Raju raises serious objection to the mode and manner of conversion now undertaken by respondents 3 and 4. According to him, even under the Board Standing Orders, it is for the District Collector to look into the proposal, take note of competing interests of villagers/live stock and the proposed beneficiaries and a decision if taken for conversion of agricultural poramboke, it should not hamper any of the existing rights and future rights of villagers and live stock of the village. Therefore, he submits that any efforts so far taken by respondents 3 and 4 need not be taken note of and the petitioners may be given opportunity to file representation before 2nd respondent with all their objections for conversion of agricultural poramboke into assessed waste or otherwise for allotment to beneficiaries under various schemes.

This Court perused the record and *prima facie* is of the view that either on the conversion of grazing poramboke land or allotment, after conversion of grazing poramboke to beneficiaries, should be done in accordance with the Board Standing Orders. It is not in dispute that as on date the order of Collector changing the classification in the Prohibitory Order book is not made.

Therefore, the petitioners are given liberty to represent to the District Collector by enclosing a copy of this order on all the

grievances they have in this behalf, within four weeks from the date of receipt of a copy of this order.

The 2nd respondent calls for a fresh report and decides the matter within three months thereafter.

The writ petition is disposed of accordingly. No order as to costs.

Miscellaneous petitions, if any, pending, shall stand closed.

Dt: 15.03.2018
Prv

S. V. BHATT, J



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15-03-2018

Prv