

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

THURSDAY, THE TWENTY THIRD DAY OF JULY
TWO THOUSAND AND TWENTY SIX

PRESENT

THE HONOURABLE MRS JUSTICE SUREPALLI NANDA

WRIT PETITION NO: 23742 OF 2026

Between:

1. Sri Mekala Veerababu, S/o Kotayya, Age- 30 Years, Occ- Agriculture,ST (Koya), H.No.1-145/2D, Rajumallayyagudem, Chimalapadu Village, Singareni Mandal, Khammam District - 507122, Telangana.
2. Sri Jakkula Ramulu, S/o Sangayya, Age- 47 Years, Occ- Agriculture,ST (Koya), R/o Chimalapadu Village, Singareni Mandal, Khammam District - 507122, Telangana.
3. Sri Jakkula Kotayya, S/o Sangayya, Age- 45 Years, Occ- Agriculture,ST (Koya), R/o Chimalapadu Village, Singareni Mandal, Khammam District, Telangana.
4. Sri Jakkula Sangayya, S/o Tirupayya, Age- 85 Years, Occ- Agriculture,ST (Koya), R/o Chimalapadu Village, Singareni Mandal, Khammam District, Telangana.
5. Smt. Jakkula Bhadramma, W/o Veeraswamy, Age- 36 Years, Occ- Agriculture,ST (Koya), R/o Chimalapadu Village, Singareni Mandal, Khammam District, Telangana.
6. Smt. Peram Uppamma, W/o Erraiah, Age- 49 Years, Occ- Agriculture,ST (Yerukula), R/o Patha Mutharam Village, Singareni Mandal, Khammam District, Telangana.
7. Smt Angadi Padma, W/o Venkanna, Age- 48 Years, Occ- Agriculture,ST (Yerukula), R/o Patha Mutharam Village, Singareni Mandal, Khammam District, Telangana.
8. Daravath Vijaya, W/o Valu, aged 46 years, Occ - Agriculture cum labour R/o H.No.156/3, Patimeedagumpu, Singareni Mandal, Khammam District.

.....PETITIONERS

AND

1. State of Telangana, Rep. by its Special Chief Secretary, Tribal Welfare Department, Secretariat, Hyderabad.
2. State of Telangana, Rep. by its Principal Secretary, Forest Department, Secretariat, Hyderabad.
3. The Principal Chief Conservator of Forests (Head of the Forest Department,, Aranya Bhavan, Saifabad, Hyderabad. Telangana State.
4. The Collector, Khammam District, Integrated Complex, Wyra Road, Khammam, Khammam District.
5. The Project Officer, Integrated Tribal Development Agency (ITDA), Bhadrachalam.
6. The District Forest Officer, Bhadrachali-Kothagudem District.
7. The Forest Range Officer, FRO - Singareni, Khammam District.
8. The Revenue Divisional Officer, Khammam District.
9. The Forest Beat Officer, Patimedagumpu, Singareni Mandal. Khammam district.
10. The Tahsildar, Singareni Mandal. Khammam district.
11. The Tribal Development Officer, Office of the Integrated Complex, Wyra Road, Khammam, Khammam 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 an appropriate 'Writ, Order or Direction, more particularly a Writ of Mandamus, declaring the action of the Respondents No. 2, 3, 5, 6 and 8 in interfering with the Petitioners' peaceful possession, enjoyment and cultivation of their respective forest lands, despite issuance of Individual Forest Rights Pattas, Pattadar Passbooks of the competent authority and also recommendations made by the Project Officer, ITDA, Bhadrachalam, is as illegal, arbitrary, unconstitutional and violative of the provisions of the Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006 and also against the principles of natural justice and also Articles 14, 21 and 300A of the Constitution of India, and consequently direct the Respondents No. 2, 3, 5, 6 and 8 not to interfere with the Petitioners' peaceful possession, enjoyment and cultivation, development of the subject lands and also allow the Petitioners to develop the land by way of digging of bore wells, permit them to have a new electricity connection in the interest of justice.

I.A.NO:1 OF 2026

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 No.2, 3, 5,6& 8 to allow them to dig the bore well and have new electricity connection into the Petitioners respective land for cultivation of the their lands as per Pattadar Passbook issued by the competent authority in the interest of justice.

Counsel for the Petitioner : SRI JOGRAM TEJAVAT

Counsel for the Respondent Nos.1, 5 & 11 : AGP FOR SOCIAL WELFARE

Counsel for the Respondent Nos.2, 3, 6, 7 & 9 : GP FOR FORESTS

Counsel for the Respondent Nos.4, 8 & 10 : GP FOR REVENUE

The Court made the following ORDER

**IN THE HIGH COURT FOR THE STATE OF TELANGANA
AT HYDERABAD**

HON'BLE MRS. JUSTICE SUREPALLI NANDA

WRIT PETITION No.23742 OF 2026

DATE: 23.07.2026

Between :

Mekala Veerababu & 7 others

... Petitioners

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The State of Telangana,
Rep. by its Special Chief
Secretary, Tribal Welfare Department,
Secretariat, Hyderabad and
10 others

... Respondents

ORDER

Heard Sri Jogram Tejavath, learned counsel
appearing on behalf of the petitioners, learned
Assistant Government Pleader for Social Welfare,
appearing on behalf of respondent Nos.1, 5 and 11,
learned Assistant Government Pleader for Revenue,
appearing on behalf of respondent Nos.4, 8 and 10
and learned Assistant Government Pleader for

Forests, appearing on behalf of respondent Nos.2, 3, 6, 7 and 9.

2. The petitioners approached the Court seeking prayer as under:

"...to issue an appropriate Writ, Order or Direction, more particularly a Writ of Mandamus, declaring the action of the Respondents Nos.2, 3, 5, 6 and 8 in interfering with the Petitioners' peaceful possession, enjoyment and cultivation of their respective forest lands, despite issuance of Individual Forest Rights Pattas, Pattadar Passbooks of the competent authority and also recommendations made by the Project Officer, ITDA, Bhadrachalam, is as illegal, arbitrary, unconstitutional and violative of the provisions of the Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006 and also against the principles of natural justice and also Articles 14, 21 and 300A of the Constitution of India, and consequently direct the Respondents Nos.2, 3, 5, 6 and 8 not to interfere with the Petitioners peaceful possession, enjoyment and cultivation, development of the subject lands and also allow the Petitioners to develop the land by way of digging of bore wells, permit them to have a new electricity connection in the interest of justice and pass...".

3. The case of the petitioners, in brief, as per the averments made in the affidavit filed by the petitioners in support of the present Writ Petition is as under:-

The petitioners are members of the Scheduled Tribes and have been in peaceful possession, enjoyment and cultivation of the subject forest lands for several years, the competent authorities, after due enquiry under the provisions of the Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006, issued Individual Forest Rights (IFR) Pattas and, thereafter, Pattadar Passbooks were also issued recognizing their lawful possession and cultivation. It is further stated that the Project Officer, Integrated Tribal Development Agency (ITDA), Bhadrachalam, vide proceedings dated 23.06.2026, acknowledged the possession and cultivation of the petitioners and recommended that the possession of the petitioners should not be disturbed and that they be permitted to continue cultivation, including by digging borewells and obtaining new electricity connections in accordance with the applicable Rules. The grievance of the

petitioners is that, notwithstanding the statutory recognition of their forest rights and the aforesaid recommendations, the respondent Forest officials are interfering with their peaceful possession, enjoyment and cultivation of the subject lands and are preventing them from accessing and developing the same. Aggrieved by the same, the petitioners approached this Court by filing the present writ petition.

PERUSED THE RECORD:

(A) The proceedings of the Project Officer, ITDA, Bhadrachalam vide Rc.No.A6/ITDA/RoFR/311/2024, dated 23.06.2026 is extracted hereunder:

**“GOVERNMENT OF TELANGANA
TRIBAL WELFARE DEVELOPMENT**

INTEGRATED TRIBAL DEVELOPMENT AGENCY, BHADRACHALAM

Rc. No. A6/ITDA/RoFR/311/2024,

Dt: 23.06.2026

From
B. Rahul, IAS,
Project Officer,
ITDA, Bhadrachalam.

To
The District Forest Officer,
Khammam.

Sir,

Sub:- TWD – ITDA, Bhadrachalam – Digging of borewells in their cultivable podu lands at various mandals of Khammam District – Reg.

Ref:- 1. Application received from the various villages of Singareni, Sathupalli, Enkoor & Raghunadhapalem Mandals.

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With reference to the above subject cited, it is to inform you that RoFR patta holders of various villages of Singareni, Sathupalli, Enkoor & Raghunadhapalem Mandals have submitted representations stating that RoFR pattadar's were in cultivation since last 50 years and also getting Rythubandhu input subsidy and requesting this office to grant permission for digging of borewells in their cultivable pond lands for (30) DLC approved beneficiaries. The details are as shown below.

Sl. No.	RoFR ID No.	Name of the Farmer	Father/Husband	Adhaar No.	Phone No.
1	222009004010001	Guguloth Kamili	Jamla	869262413134	7386173335
	Mandal : Singareni	Village :	Chemalapadu		
2.	2220190110190130	Maloth Kishore	Thavurya	457065220259	9963579936
3.	ROFR022100360622	Meekala Veerababu	Kotaiah	390007935113	
4.	ROFR022100260952	Jakkula Kotaiah	Sangaiah	629535113277	
5.	ROFR022100194442	Jakkula Ramulu	Sangaiah	283979427340	
6.	ROFR022100433641	Jakkula Bhadramma	Veeraswamy	385277761572	
7.	2220190110100060	Malath Shakunthal a	Kishore	70747497360	
8.	ROFR022100245535	Baroth Ramesh	Hathya	937899463070	
9.	ROFR022100077126	Bhukya Buj i	Mangya	215783232397	
10.	222019011010134	Baroth Sravan Ku nar	Kishan	439383224027	
11.	ROFR022100433305	Bhukya Sakru	Babusingh	97857737655	

12	ROFR022100432567	Bhukya Mani	Babusingh	998975036085	
13	ROFR022100431224	Bhukya Kotaiah	Pedda Ramu	650446561169	
14	ROFR022100354741	Maloth Vijaya Laxmi	Laxmi- narayana	415042071258	
15	ROFR022100216690	Kunosoth Bojji	Badru	268725072201	
16	222019011010129	Ajmeera Meena		925965325897	
17	ROFR02210079371	Ajmeera Sunitha	Sakru	922794714098	
18	ROFR022100366139	Ajmeera Vasudeva	Maya	6555321910191	
19	ROFR022100420193	Guguloth Vijaya		770287184912	
	Mandal : Singareni	Village :	Chinthala- thanda		
20	ROFR022100318315	Badavath Nageswarar ao	Pulsingh	561628974789	
	Mandal : Singareni	Village :	Nanunagar- thanda		
21	ROFR022100110386	Bhukya Sampath	Srinu	386590476396	
22	ROFR022100267646	Vankudoth Shivalal	Bhecmla	565172548742	8008302725
23	ROFR022100258625	Bharmavath Jyothi	Balu	903249263045	8008788583
	Mandal : Singareni	Village :	Patimedi- gumpu		
24	ROFR022100083047	Angadi Padma	Venkanna	529142448813	
25	ROFR022100084734	Peram Uapamma	Erraiah	719966247963	
	Mandal : Singareneni	Village :	Rekayala- palli		
26	222018011030062	Dharmasoth Rambabu	Mangya	329985040195	
	Mandal : Sathupalli	Village :	Basaram		
27	ROFR022100331191	Komaram Krupa	Ramesh	968106941577	

	Mandal: Sathupalli	Village :	Basaram		
28	ROFR022100055116	Jara Upendar	Venkanna	852869867802	7569596507
	Mandal : Enkoor	Village :	Garlaoddu		
29	ROFR022100004714	Ajmeera Soni	Balu	803827548362	9989849369
	Mandal : Raghunadhapalem	Village :	Donabanda		
30	ROFR022100117699	Boda Venkanna	Chinna	961914809041	9705421389

Hence, I request you kindly to look into this matter personally and provide your remarks for digging of borewells in their ROFR patta lands and provide reasons in case of rejection, so as to enable to issue necessary orders under Rule 16 of RoFR Act.

Yours faithfully,

Sd/-xxx

**Project Officer,
ITDA, Bhadrachalam**

DISCUSSION AND CONCLUSION:

DISCUSSION:

4. Learned counsel appearing on behalf of the petitioner mainly puts forth the following submissions:

(i) The petitioners are members of the Schedule Tribes and are agriculturists and they had been in peaceful

possession and enjoyment and cultivation of the respective forest lands located at Chimalapadu Village, Singareni Mandal, Khammam District. The petitioners had been issued individual Forest Rights (IFR) Pattas by the competent authorities as per the provisions of the Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006 and had been in possession for the small extents of lands situated in Chimalapadu Village, Singareni Mandal, Khammam District.

(ii) The petitioners, with a view to develop and cultivate the subject lands, intended to dig borewells and obtain new electricity connections. However, despite their repeated requests, the respondents failed to consider and accord permission for digging borewells in the subject lands and also did not provide new electricity connections, thereby impeding the petitioners from developing and cultivating the said lands.

(iii) The petitioners even have clear observations recorded in their favour as per the letter dated 23.06.2026 of the Project Officer, ITDA, Bhadrachalam addressed to the

District Forest Officer, Khammam requesting him to look into the subject issue of grant of permission for digging of borewells and sanction of electricity connection in petitioners RoFR patta lands and for availing Rythu Bandhu Input Subsidy and pass appropriate orders. But however no action had been initiated on the said letter dated 23.06.2026 of the 5th respondent addressed to the 6th respondent even as on date and the same is illegal, arbitrary.

Based on the aforesaid submissions, the learned counsel appearing on behalf of the petitioners contended that petitioners are entitled for the relief as sought for by the petitioners in the present writ petition.

5. The learned Assistant Government Pleader for Forests contends that the 6th respondent may be directed to pass appropriate orders as per the letter of 5th respondent addressed to the 6th respondent dated 23.06.2026 in accordance to law, within a reasonable period.

6. The learned counsel appearing on behalf of the petitioners does not dispute the said submission made by the learned Assistant Government Pleader for Forests.

CONCLUSION:

7. A bare perusal of the record indicates that pursuant to the applications submitted by the petitioners and other similarly situated persons, the Project Officer, ITDA, Bhadrachalam, addressed a communication dated 23.06.2026 to the District Forest Officer, Khammam, indicating the particulars of the petitioners, including their Aadhaar numbers, names, respective villages and the details of the RoFR pattas granted in their favour. In the said communication, the plea of the petitioners that the petitioners had been in continuous cultivation and possession of the subject lands since last five decades had been clearly referred to and further referring to petitioners representations and petitioners request pertaining to seeking permission for digging borewells and for sanction of electricity connections in their respective RoFR patta lands and for availing Rythu Bandhu input subsidy, the 5th

respondent requested the District Forest Officer to furnish his remarks. It was further requested vide the said letter dated 23.06.2026 that, in the event the request of the petitioners was proposed to be rejected for any reason, appropriate orders be passed in accordance to law, particularly in terms of Rule 16 of the Rules framed under the Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006.

8. This Court takes note of the fact as borne on record that the applications submitted by the petitioners are referred to in the proceedings dated 23.06.2026 issued by the respondent No.5 and addressed to the respondent No.6, insofar as petitioner Nos.1, 2, 3 and 7 are concerned. However, the names of petitioner Nos.4 and 8 do not find place in the said proceedings dated 23.06.2026. The record further discloses that, vide proceedings dated 23.06.2026, the respondent No.5 requested the respondent No.6 to consider the applications submitted by six of the petitioners for digging borewells and for sanction of electricity connections in their respective RoFR patta lands and for availing Rythu Bandhu Input Subsidy specifically referring to

the RoFR pattas granted in their favour duly furnishing the particulars of the lands in their possession and cultivation.

9. The Judgment of the Apex Court in Hari Krishna Mandir Trust V. State of Maharashtra and Others reported in AIR 2020 Supreme Court 3969 and in particular at para Nos.100 and 101 it is observed as follows:

"100. The High Courts exercising their jurisdiction under Article 226 of the Constitution of India, not only have the power to issue a writ of mandamus or in the nature of mandamus, but are duty-bound to exercise such power, where the Government or a public authority has failed to exercise or has wrongly exercised discretion conferred upon it by a statute, or a rule, or a policy decision of the Government or has exercised such discretion mala fide, or on irrelevant consideration.

101. In all such cases, the High Court must issue a writ of *Mandamus* and give directions to compel performance in an appropriate and lawful manner of the discretion conferred upon the Government or a public authority."

10. Applying the above observations of the Apex Court in the Judgment referred to and extracted above to the facts of the present case, this Court opines that the District Forest Officer, Khammam failed to discharge his duty diligently to consider the

said representations/application's of the petitioners and pass appropriate orders in accordance to law, within a reasonable period. Hence, this Court to compel performance of the authorities concerned opines that petitioners are entitled for grant of relief in the present writ petition.

11. Taking into consideration :

(a) The aforesaid facts and circumstances of the case,

(b) The submissions made by the learned counsel appearing on behalf of the petitioner, learned Assistant Government Pleader for Social Welfare, appearing on behalf of respondent Nos.1, 5 and 11, learned Assistant Government Pleader for Revenue, appearing on behalf of respondent Nos.4, 8 and 10 and learned Assistant Government Pleader for Forests, appearing on behalf of respondent Nos.2, 3, 6, 7 and 9,

(c) The contents of the proceedings dated 23.06.2026 of the respondent No.5 addressed to the respondent No.6 herein referred to extracted above.

(d) The fact that the names of the petitioner Nos.1, 2, 3 and 7 are indicated in the proceedings dated 23.06.2026 recommending the representations/ applications made by the petitioners herein seeking permission for digging of borewells and sanction of electricity connections in petitioners respective RoFR patta lands and for release of the Rythubandhu Input Subsidy to the petitioners,

(d) The discussion and conclusion as arrived at paragraph Nos.4 and 6 of the present order,

The writ petition is disposed of directing respondent No.6 to consider the representations/ applications of the petitioners seeking permission for digging borewells and for sanction of electricity connections in their respective RoFR patta lands and for availing Rythu Bandhu Input Subsidy as per the letter of the 5th respondent addressed to the 6th

addressed to the 6th respondent dated 23.06.2026
(referred to and extracted above), in accordance to
law, in conformity with principles of justice by
providing an opportunity of personal hearing to the
petitioners and pass appropriate orders on the said
representations of the petitioners within a period of
three (3) weeks from the date of receipt of a copy of
this order and duly communicate the decision on the
applications of the petitioners herein to the
petitioners herein. There shall be no order as to
costs.

Miscellaneous petitions, if any, pending in this Writ
Petition, shall stand closed.

SD/- A. JAYASREE
ASSISTANT REGISTRAR

//TRUE COPY//


SECTION OFFICER

To

1. The Special Chief Secretary, Tribal Welfare Department, Secretariat, State of Telangana at Hyderabad.
2. The Principal Secretary, Forest Department, Secretariat, State of Telangana at Hyderabad.
3. The Principal Chief Conservator of Forests (Head of the Forest Department,, Aranya Bhavan, Saifabad, Hyderabad. Telangana State,
4. The Collector, Khammam District, Integrated Complex, Wyr Road, Khammam, Khammam District.
5. The Project Officer, Integrated Tribal Development Agency (ITDA), Bhadrachalam.
6. The District Forest Officer, Bhadrachalam-Kothagudem District.
7. The Forest Range Officer, FRO - Singareni, Khammam District.
8. The Revenue Divisional Officer, Khammam District.
9. The Forest Beat Officer, Patimadagumpu, Singareni Mandal. Khammam District.
10. The Tahsildar, Singareni Mandal, Khammam District.
11. The Tribal Development Officer, Office of the Integrated Complex, Wyr Road. Khammam, Khammam District.

12. Two CCs to GP FOR SOCIAL WELFARE High Court for the State of Telangana at Hyderabad [OUT]
13. Two CCs to GP FOR REVENUE, High Court for the State of Telangana at Hyderabad [OUT]
14. Two CCs to GP FOR FORESTS, High Court for the State of Telangana at Hyderabad [OUT]
15. One CC to SRI JOGRAM TEJAVAT, Advocate [OPUC]
16. Two CD Copies

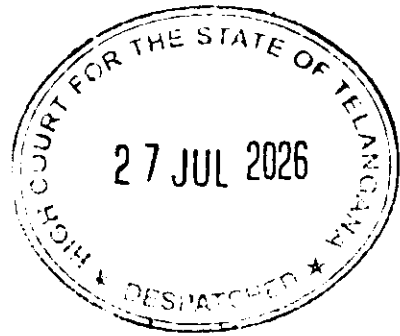
SA

GJP

C.C. TODAY

HIGH COURT

DATED: 23/07/2026



ORDER

WP.No.23742 of 2026

**DISPOSING OF THE W.P
WITHOUT COSTS.**

(21) MT
27/7/26