



2026:AHC:19821

HIGH COURT OF JUDICATURE AT ALLAHABAD
PUBLIC INTEREST LITIGATION (PIL) No. - 2863 of 2025

Satya Narayan Singh

.....Petitioner(s)

Versus

State Of U.P. And 7 Others

.....Respondent(s)

Counsel for Petitioner(s)	: K.C. Mishra, Vishwanath Pratap Mishra
Counsel for Respondent(s)	: Achal Singh, Ashok Kumar Singh, C.S.C., Shikhar Pratap Singh, Shiv Singh

Court No. - 55

HON'BLE CHANDRA KUMAR RAI, J.

1. Counsel fore the petitioner is permitted to implead the Tehsildar, Tehsil Rajapur, Chitrakoot as respondent no.9 to the petition during the course of the day.
2. Heard Sri K.C. Mishra, learned counsel for the petitioner, Sri M.N. Mishra, learned Addl. C.S.C. for the state-respondents, Sri Ashok Kumar Singh, learned counsel for private respondent no.5, Sri Shiv Singh, learned counsel for private respondent no.8 and Sri Achal Singh, learned counsel for the respondent-Land Management Committee.
3. The instant writ petition has been filed for the following reliefs:-

"A-Issue a writ, order or direction in the nature of mandamus commanding to respondent no.2 to ensure the removal of encroachment caused by private respondents over pond land bearing no. 3512 situate at village Sirawalmafi, Tehsil- Rajapur, District- Chitrakoot within a very stipulated time as per fixed by this Hon'ble court otherwise; interest of a lot of people/ villagers shall completely be affected which cannot be compensated in any manner.

B-And further be pleased to issue a writ of mandamus commanding to respondent no.2 to maintain / restore

the shape and nature of pond bearing no.3512 situate at village Sirawalmafi, Tehsil- Rajapur, District- Chitrakoot as it was earlier otherwise; a large number of people shall have to sustain an irreparable loss and injury."

4. This Court on 25.9.2025 had passed the following order:-

"Learned counsel for the petitioner contends that the private respondents have encroached upon pond land and are raising constructions thereof.

The local administration shall immediately take all necessary steps to restrain the parties from raising illegal constructions upon the pond land.

The District Magistrate shall forthwith constitute a survey/inspection team of the competent officials along with professional surveyors for identifying the public lands recorded in the revenue records upon which illegal encroachments were made.

The survey of ponds and lands is a recurring issue in consolidation and land revenue matters. Accurate surveys are also essential for preserving the ecological assets of the community and the State. The total station method and global positioning methods are being recognized as accurate methods to make surveys.

This Court has been informed by the learned Standing Counsels for the State that the equipment and wherewithal for carrying out surveys is not available with the revenue department. The revenue department shall examine whether such equipment and wherewithal to carry out such surveys is available or not. The State may also consider the feasibility to ensuring access to various district administrations to such equipment to conduct such surveys.

Principal Secretary, Department of Revenue,

Government of U.P. shall file an affidavit to this effect considering that the issue has State wide ramifications. The Revenue Department shall also ensure that proper trained staff for conducting surveys and providing survey reports is always available in the districts. Further, the latest technological tools/machinery for conducting accurate surveys should also be made available to the competent authorities at the district level. The affidavit shall depict the steps taken in this directions.

Accurate surveys are required for preserving the ecological resources of the community as well as to ensure justice to smaller tenure holders. We cannot forget that a pre-dominant population of the State are dependent on agriculture for their livelihood.

Put up on 25.11.2025 in the list of fresh cases. "

5. In pursuance of the order of this Court dated 25.9.2025, the personal affidavit of the Principal Secretary has been filed.

6. Learned Addl. C.S.C. on the basis of the averments made in the personal affidavit, submitted that four cases have been registered against the persons who have been found in illegal possession over the plots in question as Case Nos.T202507190404458, T202507190404459, T202507190404457 and T202507190404460. He further submitted that temporary encroachment made by the persons has been removed by the authorities. He submitted that appropriate action shall be taken by the authority after disposal of the pending cases under Section 67 of the U.P. Revenue Code, 2006.

7. Learned counsel for petitioner submitted that appropriate direction be issued to the authority concerned for the expeditious disposal of the pending cases under Section 67 of the U.P. Revenue Code, 2006.

8. Learned counsel for the private respondents submitted that instant petition has not been filed in public interest, as such, the same is liable to be dismissed.

9. Considering the facts and circumstances of the case, without expressing any opinion on the merits of the case, this petition is disposed of with the direction to respondent no.9/Tehsildar, Rajapur, Chitrakoot to decide the aforesaid proceedings under Section 67 of the U.P. Revenue Code, 2006 to its logical conclusion, expeditiously, after affording proper opportunity of hearing to the parties concerned, in accordance with law.

January 28, 2026
C.Prakash

(Chandra Kumar Rai,J.)