

THE HON'BLE SRI JUSTICE VILAS V.AFZULPURKAR

WRIT PETITION No.36739 OF 2015

ORDER:

Heard.

The grievance of the petitioners in this Writ Petition is that a survey is being conducted by the Tahsildar, Kothur Mandal, Mahabubnagar District, and the Mandal Surveyor, Kothur Mandal, Mahabubnagar District, the 3rd and 4th respondents, over the petitioners land admeasuring Acs.4.34 guntas in Survey Nos.750, 759 and 761 of Mekaguda Village, Kothur Mandal, Mahabubnagar District, at the behest of respondents 5 and 6. The petitioners also state that no notice was issued to them.

Learned Government Pleader for Revenue was asked to get instructions and it is now apparent from the instructions that the survey is proposed to be conducted as per the directions of this Court in W.P.No.15637 of 2011, dated 03.08.2015, and it would be conducted keeping in mind the circular instructions of the Commissioner, Survey and Settlement, dated 13.07.2007 and 22.08.2012 and the present survey is proposed in compliance to the said order. It is further stated that notices were issued to the petitioners on 29.09.2015 and 19.10.2015, but the survey proposed to be held on 18.11.2015 could not be conducted because of the petitioners' objections.

In view of the directions of this Court, the petitioners cannot object to the said survey as the order for survey has to be complied with. So far as the grievance of the petitioners is concerned with regard to the notices, the instructions show that the notices were given to the neighbouring cultivators, and in any case, if the petitioners are not given any such notice, respondents 3 and 4 shall issue fresh notices fixing a fresh date for conducting the survey to all

the persons who were already given notices including the petitioners and complete the survey as directed by this Court expeditiously.

The Writ Petition is accordingly disposed of. There shall be no order as to costs.

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

VILAS V.AFZULPURKAR, J

26.11.2015

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