

THE HON'BLE SRI JUSTICE C. PRAVEEN KUMAR

WRIT PETITION No. 17988 of 2011

ORDER:-

The present writ petition is filed by the petitioners, under Article 226 of the Constitution of India, assailing the Memo No.MS/54/2011 dated 21.06.2011 issued by the 2nd respondent.

Heard learned counsel for the petitioners and learned Government Pleader for Revenue appearing for the respondents.

The averments in the affidavit filed in support of the writ petition show that the 1st petitioner purchased a house bearing registration No.30-94/12/10, admeasuring 260 square yards, in Survey Nos.393 and 394 situated at Kanajiguda, Alwal, Malkajgiri Mandal, Rangareddy District and the 2nd petitioner purchased a house bearing registration No.30-94/12/11, admeasuring 260 square yards, in Plot No.11 in the above survey numbers, under different registered Agreement of Sales-cum-General Power of Attorneys dated 05.11.2008. Since the date of purchase, they claim to be in possession and enjoyment of the properties. While things stood thus, the adjacent land owner claims that his land in Survey No.392 has overlapped with the land of the petitioners and, as such, he is not permitting them to proceed with the construction work. Then, the petitioners approached the 2nd respondent seeking survey of the land in Survey Nos.392, 393 and 394 so as to avoid further dispute. Instead of considering their request, the 2nd respondent issued a Memo No.MS/54/2011 dated 21.06.2011 stating that as the land in Survey Nos.393 and 394 is made into plots and, the survey cannot be conducted. Challenging the same, the present writ petition is filed.

A counter affidavit came to be filed by the 2nd respondent stating

that pursuant to the request of the petitioners, the Mandal Surveyor has again conducted the survey and identified the plots of the petitioners and also issued a location sketch to the petitioners showing the details of the plots in Survey Nos.392 and 393 of Alwal Village.

Since the Mandal Surveyor has re-surveyed the land and identified the plots of the petitioners, this Court is of the view that no further orders are necessary in this writ petition.

Accordingly, the Writ Petition is closed. No order as to costs. Consequently, miscellaneous petitions, if any, pending in the writ petition shall stand closed.

C. PRAVEEN KUMAR, J

30th June, 2015
cbs

THE HON'BLE SRI JUSTICE C. PRAVEEN KUMAR

WRIT PETITION No. 17988 OF 2011

30th June, 2015

cbs