

THE HON'BLE SRI JUSTICE VILAS V. AFZULPURKAR

WRIT PETITION No.13991 OF 2015

Date:08.06.2015

Between:

V. Nagarjuna Chary .. Petitioner

And

The State of Andhra Pradesh, rep., by
its Principal Secretary, Revenue Department
Hyderabad and others .. Respondents

THE HON'BLE SRI JUSTICE VILAS V. AFZULPURKAR

WRIT PETITION No.13991 OF 2015

ORDER:

Heard.

The grievance of the petitioner is that he has applied for survey of his land in Survey Nos.578 and 579 to an extent of Ac.1.24 cents situated to Konakandala Village, Vajrakarur Mandal, Anantapur District.

The survey was proposed to be conducted by the Mandal Surveyor as per the notice given under Sections 15(1) and 22 of the Andhra Pradesh Survey and Boundaries Act, 1923 fixing the date of survey as 22.10.2013 at 9.00 A.M. The petitioner was therefore required to attend along with the documents and pass books etc. and neighbouring pattadars were also notified apart from Village Revenue Officer. Though the said notice was given fixing a date for survey as above, thereafter nothing further happened and no survey is conducted and the matter remained there as it was. Alleging inaction, the petitioner filed the present Writ Petition.

The instructions of the learned Government Pleader for Revenue show that some third parties claimed ownership rights in the above said land and after giving notice, the Surveyor along with the staff visited the Village on 22.10.2014 to conduct the survey. The third parties objected for the same and have not allowed the survey to be conducted. The Tahsildar thereafter directed the Mandal Surveyor to obtain police protection and conduct survey and thereafter the petitioner has not followed up the matter and not attended the office of the Mandal Surveyor.

Evidently, the survey work is still pending and by conducting survey, title of the parties will not be adjudicated upon. Hence, irrespective of objection from others, the survey can always be conducted leaving appropriate remedy open, if any of them who want to assert title to the property.

The Writ Petition is, accordingly, disposed of directing the Mandal Surveyor,

the 3rd respondent, to take necessary steps to conduct the survey. The petitioner shall also appear before the 3rd respondent and cooperate with him in conducting survey expeditiously. There shall be no order as to costs.

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

VILAS V. AFZULPURKAR, J

08.06.2015

KH