

**IN THE HIGH COURT OF JUDICATURE AT HYDERABAD
FOR THE STATE OF TELANGANA & THE STATE OF ANDHRA PRADESH**

* * * *

WRIT PETITION No.30525 of 2015

BETWEEN

J. Venkateshwarulu.

... PETITIONER

AND

State of Telangana, Rep. by its Principal Secretary, Revenue Department,
Secretariat, Hyderabad and others.

...RESPONDENTS

DATE OF JUDGMENT PRONOUNCED: 10.12.2015

THE HON'BLE SRI JUSTICE VILAS V. AFZULPURKAR

- | | | |
|----|--|----|
| 1. | Whether Reporters of Local newspapers may be allowed to see the Judgments? | No |
| 2. | Whether the copies of judgment may be marked to Law Reporters/Journals? | No |
| 3. | Whether Their Ladyship/Lordship wish to see the fair copy of the Judgment? | No |

-
-
-
-

ORDER:

Petitioner, who claims to have purchased lands from the occupancy rights holders over an extent of about 4 acres in Sy.Nos.X1, X2, X5 and X15 situated at Penjerla Village, Kothur Mandal, Mahboobnagar District, questions the inaction of the respondent authorities in declaring the correlated new numerical survey numbers with 'X' series lands and in demarcating the lands of the petitioners.

2. Since it was found to be strange that the lands claimed by the petitioner and other lands in the village are having 'X' series survey numbers, learned Government Pleader was required to get instructions and file counter.

3. The District Collector/second respondent has since filed counter affidavit wherein she gives various reasons as to why 'X' series numbers were given for survey numbers but accepts that there is no correlation available on record with the numerical survey numbers and 'X' series. In para 5 of the counter affidavit, the District Collector states as follows:

"5. I submit that the petitioner herein also one of the purchaser from the occupancy rights holder and the survey number in the sale deed were also mentioned as 'X' series and relying upon the sale deed purchaser name also mentioned against 'X' survey number and accordingly the same was also implemented in the revenue records and pattadar pass book and title deed issued showing the survey numbers X1 or X17. Further on local inspection it is revealed that the petitioners claimed land is under occupation of other persons who are also purchasers from the occupancy rights certificate holders. Therefore unless the detailed survey is conducted for localization of the lands by fixing the boundaries to the existing survey numbers and comparing the same with the old survey numbers 238 to 254 and 256 to 276 the land of the petitioner cannot be identified and demarcated. As there is no records available which discloses the co-relation that the land shown under Ex.X1 to X17 that of the land situated in Sy.No.238 to 254 and 256 to 276 it cannot be identified where exactly the petitioners claimed lands are situated ..."

4. It is, therefore, apparent that 'X' series numbers have to be correlated to numerical old survey numbers. As rightly submitted by the District Collector, a detailed survey is, therefore, necessary to be undertaken in the said village for all such lands, which are notified with 'X' series numbers. In my view, unless the survey as such and correlation is completed, the relief sought for by the petitioner cannot be considered. Hence, the respondent authorities are directed to take appropriate steps for conducting a detailed survey and localize all

'X' series numbers with numerical survey numbers, as proposed by the District Collector in the counter affidavit, as extracted above and since the issue is required to be resolved at the earliest, it is desirable that the second respondent issues appropriate orders for completion of the above work and ensures its compliance within the time to be fixed by her.

The writ petition is disposed of. As a sequel, the miscellaneous applications, if any, shall stand closed. There shall be no order as to costs.

VILAS V. AFZULPURKAR, J

December 10, 2015
DSK