

HON'BLE SRI JUSTICE VILAS V.AFZULPURKAR

WRIT PETITION No.31498 of 2015

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ORDER:

Heard learned counsel for the petitioner and learned Government Pleader for Revenue.

The petitioner questions the notice, dated 14.09.2015, issued by the Deputy Inspector of Surveys, Asifabad, Adilabad District, the 3rd respondent, proposing to conduct survey in Survey No.699 of Tandur Village and Mandal, Adilabad District. The reference in the said notice itself was the order of the Sub-Collector, Asifabad, in Memo No.E/D/1790/2012, dated 08.07.2015, in pursuance of which the survey is to be conducted.

The petitioner had earlier questioned the survey notice in W.P.No.29050 of 2015, which was disposed of by this Court on 09.09.2015. The petitioner now questions the present survey notice on the ground that the direction of the Sub-Collector is only to conduct survey with regard to Survey No.699/1 admeasuring Ac.1.42 guntas and not with regard to Survey No.699/2 to which he claims title. The petitioner states that since there is no order to conduct survey with regard to the land in Survey No.699/2, the impugned notice to conduct survey in Survey No.699 is erroneous and liable to be set aside.

I am unable to see any prejudice likely to be caused to the petitioner by mere conducting of survey. If the petitioner claims to be the owner of Ac.0.81 guntas of land in Survey No.699/2, his title and ownership would not, in any way, be affected by the said survey and the proposed survey would help in localising the lands in Survey No.699. Even apart from that, if the petitioner is aggrieved by the survey report and the findings therein,

he can always file his objections and even further there is a right of appeal under the Andhra Pradesh Survey and Boundaries Act. Hence,
I do not see any reason to interfere with the conducting of survey.

The Writ Petition is, accordingly, dismissed. There shall be no order as to costs.

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

VILAS V.AFZULPURKAR, J

29.09.2015

Note:- Furnish C.C. in three days.

(B/o)

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