

THE HON'BLE SRI JUSTICE A.RAMALINGESWARA RAO

W.P.NO.13239 OF 2005

ORDER:

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

This Writ Petition was filed challenging the in action of the respondents in not conducting survey and fixing the boundaries of the land admeasuring 0.15 $\frac{3}{4}$ cents in Survey No.389/2 consisting of Plot Nos.5, 6 and 7.

The case of the petitioner is that she purchased the said extent of land situated in Chinna Chowk Gram Panchayat of Kadapa Mandal and District from one B.G.Rangacharyulu under a registered sale deed dated 15.03.1982. From the date of purchase of the said land, she was in continuous possession of the same and that when the Mandal Revenue Officer tried to interfere with the said possession and tried to allot the said land to some third parties in the year 2002-2003, she submitted a representation on 29.05.2003 to the 2nd respondent requesting to direct the 3rd respondent to survey the land and fix boundaries in order to avoid encroachments by paying a sum of Rs.100/- for the said purpose. Again she submitted another representation on 18.12.2004 by paying another sum of Rs.100/- for the same purpose. But when no action was taken for a long time the present writ petition was filed.

A counter affidavit is field by the 2nd respondent stating that an extent of Ac.4.45 cents in Survey No.389/2 of Chinnachowk Village was assigned to B.G.Rangacharlu on 30.03.1969. As the said B.G.Rangacharlu violated the conditions of grant of patta, the then Mandal Revenue Officer, Cuddapah issued proceedings on 02.02.1990 cancelling the assignment and resumed the land to the Government. The revenue authorities during 1994 prepared a layout for the lands in Survey No.389/2 along with land in Survey No.389/1 and 393/2 for providing house-site to poor persons. The land was plotted and house sites

were allotted to the members of the weaker section.

A perusal of the sale deed alleged to have been executed in favour of the petitioner shows that the same was executed by a power of attorney holder, Vannam Poola Naganna on behalf of the B.G.Rangacharlu. Finally it was stated that the petitioner's request for demarcation and fixation of boundaries based on a private layout of Government land cannot be considered and necessary endorsement would be sent to the petitioner in response to the representations filed by her.

Now the learned counsel for the petitioner submits that no endorsement has been received even after filing of the counter in the year 2005 and if an endorsement is issued as stated in the counter affidavit, the petitioner would be in a position to take appropriate legal steps.

In the circumstance, the writ petition is disposed of directing the 2nd respondent to issue an endorsement as stated in para 3 of the counter affidavit filed on 20.07.2005 in the present writ petition within a period of three months from the date of receipt of a copy of this order. There shall be no order as to costs.

Pending miscellaneous petitions in this Writ Petition, if any, shall stand dismissed in consequence.

A.RAMALINGESWARA RAO, J

24.04.2015

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