

HON'BLE SRI JUSTICE C. PRAVEEN KUMAR

WRIT PETITION No. 15860 of 2011

ORDER:

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

With the consent of both the parties, the main writ petition is disposed of at the admission stage itself.

The present writ petition came to be filed seeking issuance of a writ of mandamus declaring the action of the respondents in not surveying and demarcating the land in Sy.No.260 (old 129/12) admeasuring 640 square yards, as illegal, arbitrary and violative of principles of natural justice.

The material placed before the Court would show that the petitioner filed O.S.No.4080 of 2005 on the file of the VI Junior Civil Judge, City Civil Court, Hyderabad, seeking a direction to the respondents to conduct survey of the land situated in Sy.Nos. 94, 95, 96 of Khairatabad Village and also Sy.No.260 of Shaikpet village, Hyderabad. The said suit was decreed on 28.01.2009. The operative portion of the judgment is as under:

“In the result, the suit is decreed with costs directing plaintiffs to approach defendants 1 and 2 with fresh application for conducting the survey. Defendants 1 and 2 are directed upon receiving of fresh application from plaintiff to conduct survey of land property if it is situated within the survey No.260 of Khairatabad and hand over the same to defendant No.2.”

It is stated that subsequent to the decree, the petitioner society made an application dated 24.03.2009 seeking survey and demarcation of the land in Sy.No.260 of Shaikpet Village. Though the petitioner made

a representation on 24.03.2009 before the first respondent, the same is still pending consideration.

Without going into the merits of the case and having regard to the judgment passed by the Civil Court in O.S.No.4080 of 2005, the writ petition is disposed of directing the respondents to act upon the representation dated 24.03.2009 made by the petitioner, if it is still pending, within a period of eight (08) weeks from the date of receipt a copy of this order, in accordance with law. There shall be no order as to costs.

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

JUSTICE C. PRAVEEN KUMAR

22.07.2015
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