

HON'BLE SRI JUSTICE C. PRAVEEN KUMAR

WRIT PETITION No. 33357 of 2012

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 heard at the admission stage itself.

The present writ petition came to be filed seeking issuance of writ of mandamus to declare the action of respondent No.1 in not considering the representation dated 10.10.2012 made by the petitioner seeking survey of agricultural land admeasuring Ac.018 gts., in Sy.No.1/aa, Ac.2.18 gts., in Sy.No.891/aa and Ac.1.12 gts., in Sy.No.892/aa of Manthur Village, Doulothabad Mandal, Medak District, as illegal, arbitrary and violative of principles of natural justice; and consequently to direct respondent No.2 to 5 not to interfere with the peaceful possession and enjoyment of the petitioner over the said land till the completion of the survey.

The petitioner claims to be a owner and possessor of agricultural land admeasuring Ac.018 gts., in Sy.No.1/aa, Ac.2.18 gts., in Sy.No.891/aa and Ac.1.12 gts., in Sy.No.892/aa of Manthur Village, Doulothabad Mandal, Medak District, obtained by virtue of proceedings issued by the Tahsildar, Doulothabad vide File No.B/1616/2001 and 13-B Form, dated 15.06.2001. It is stated that basing on the said proceedings, the Tahsildar, Doulothabad, also issued pattadar passbook and title deed in favour of the petitioner and pahanies also reflected the name of the petitioner as owner and possessor of the said land. It is stated that respondent Nos.2 to 5 are trying to trespass into the land and damage the maize crop with the tractor. A report was also lodged before the Police, Doulothabad on 14.10.2012 about the incident. Thereafter, the petitioner made an application before respondent No.1 seeking survey of the land and also fixing the boundaries. As there was no action on the part of respondent No.1, the present writ petition is filed.

The counsel for the petitioner submits that in view of the dispute of the boundaries with respondent Nos.2 to 5, he made an application to respondent No.1, which is still pending consideration and hence seeks a direction. The Government

Pleader for Revenue submits that respondent No.1 will definitely conduct the survey if the said application is in accordance with law and is still pending consideration.

Without going into the merits of the case and having regard to the circumstances stated above, the writ petition is disposed of directing respondent No.1 to consider the representation dated 10.10.2012, if any made by the petitioner for survey of the land as early as possible, if it is in accordance with law on payment of necessary charges. No order as to costs. Consequently, miscellaneous petitions, if any, pending in this Writ Petition shall stand closed.

JUSTICE C. PRAVEEN KUMAR

07.11.2015

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