

HON'BLE SRI JUSTICE C. PRAVEEN KUMAR

WRIT PETITION No. 29031 of 2011

ORDER:

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

The present writ petition came to be filed questioning the inaction of the respondents in conducting survey/demarcate the land admeasuring Ac.15.05 gts., in Sy.No.363 situated at Gollagudem village, Nalgonda Mandal and District and to fix boundaries though the petitioner made the applications and paid the requisite fee on 21.09.2009 and 16.08.2011, as illegal and arbitrary.

The Government Pleader for Revenue on instructions submits that on 03.12.2011 the survey has been conducted and boundaries are also fixed basing on the old survey stones which are already affixed. A perusal of the report would show that Tipans in Sy.No.363 were not available and as such the Deputy Inspector of Survey conducted survey with the help of old stones which already affixed for the purpose of demarcating the land. Learned counsel for the petitioner submits that the same was done in the absence of the petitioner and no survey could be done without using tipans. He submits that he is ready to bare all necessary costs for re-survey of the land in his present.

The Government Pleader for Revenue submits that in view of the report, the petitioner can only invoke the remedy available under law by filing an appeal under Section 11 of the Andhra

Pradesh Survey and Boundaries Act, 1923.

Having regard to the circumstances of the case and as the statute provides an appeal under Section 11 of the Andhra Pradesh Survey and Boundaries Act, 1923, the Writ Petition is disposed of by directing the writ petitioner to prefer an appeal before the respondent, who shall consider the same in accordance with law within a period of six (06) weeks from the date of filing of appeal. No order as to costs.

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

**JUSTICE C. PRAVEEN
KUMAR**

10.07.2015
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