

HON'BLE SRI JUSTICE C. PRAVEEN KUMAR

WRIT PETITION No. 18049 of 2012

ORDER:

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The present writ petition came to be filed seeking issuance of a writ of mandamus declaring the action of respondents 2 and 3 in not conducting survey of land admeasuring Acs.6.00 in survey No.788/1 situated at Medarametla Village, Korisapadu Mandal, Prakasam District, as illegal and arbitrary.

The learned counsel for the petitioner mainly submits that respondents 2 and 3 are not conducting any survey of the land, in view of pressure from the local M.L.A.

On the other hand, the learned counsel for the 4th respondent would submit that the petitioner did not place on record any documentary evidence showing his title and possession over the land in question. But however, submits that the 4th respondent will cooperate with the survey and produce all the necessary documents at the time of conducting the survey.

The learned Government Pleader for revenue appearing for respondents 1 to 3 would submit that after issuing notice to the petitioner and the 4th respondent, on 01.06.2012 the 3rd respondent attended the survey and when he asked both the parties to show the boundary lines of their respective lands, they were unable to show the boundary lines. He further submits that there are no ridges formed on ground and both the parties are not agreeing to common boundary line in between their patta lands and also objecting for fixation of common boundary line. In view of the serious dispute as to common boundary line between the petitioner and the 4th respondent, survey could not be carried out by the 2nd respondent. However, he submits that the 2nd

respondent will conduct resurvey of the land, provided the petitioner and the 4th respondent cooperate for the same and agree with the report to be submitted by the 3rd respondent.

At this stage, the learned counsel for the petitioner and the learned counsel for the 4th respondent submit that they will cooperate with the resurvey and abide by the report of the 3rd respondent.

In view of the above and without going into the merits of the case, the Writ Petition is disposed of, directing the 2nd respondent to conduct resurvey of the land admeasuring Acs.6.00 in survey No.788/1 situated at Medarametla Village, Korisapadu Mandal, Prakasam District, after giving notice to the neighbouring land owners including the petitioner and the 4th respondent, in accordance with law, at the earliest. There shall be no order as to costs.

Consequently, miscellaneous petitions if any pending in the writ petition shall stand dismissed.

JUSTICE C. PRAVEEN KUMAR

28th September, 2015
cbs

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