

HON'BLE SRI JUSTICE C. PRAVEEN KUMAR

WRIT PETITION No. 27727 OF 2011

ORDER:

-

Heard learned counsel for the petitioners and learned Government Pleader for Revenue. With the consent of both the parties the present writ petition is disposed of at the admission stage itself.

The present writ petition came to be filed seeking to declare the inaction of the third respondent in conducting survey and demarcation of land in pursuance of the notice issued by the Mandal Surveyor in File No.B/SPL/09 Surveyor as illegal and arbitrary and consequently direct the third respondent to conduct survey and demarcation at the earliest.

The father of the petitioners was the owner and possessor of agricultural dry land to an extent of Acs.05.00 guntas in Survey No.193, situated at Koyachalaka Revenue Village of Khammam Urban Mandal, Khammam District. It is stated that the petitioners are in possession of the said property after the demise of their father. It is stated that the land in Survey No.192 is Government land, whereas, the land in Survey No.193 is a patta land. The revenue authorities issued notices under the provisions of the A.P.Assigned Lands Act (POT), 1977 and passed orders of resumption in Rc.No.B/3324/2007 on a premise that the petitioners are in possession of the Government land in Survey No.192. After conducting survey and demarcation of land in Survey Nos.192 and 193, the authorities came to know that the petitioners possess land in Survey No.192 and as such dropped the resumption

proceedings. In order to dispel the doubts and bring clarity over the said land, the petitioners intended to get the survey and demarcation of the land done and as such, paid requisite fee for the said purpose. It is stated that after repeated persuasion by the petitioners, the Mandal Surveyor issued notice in file No.B/SPL/09 Surveyor to all the boundary holders of the land informing about the survey and demarcation to be undertaken on 28.01.2010 at 09.00 a.m. It is stated that inspite of giving notice, no survey and demarcation took place so far. Though they have intimated their grievance before the respondents, no demarcation or survey was done on the said land. Hence, this writ petition.

No counter is filed and the learned Government Pleader raised no objection in directing the third respondent to conduct survey, if the same is not done till today.

Without going into merits of the case and having regard to the circumstances stated above, the writ petition is disposed of directing the third respondent to conduct survey of land and demarcation in pursuance to notice issued in file No.B/SPL/09 Surveyor, within eight (08) weeks from the date of receipt of a copy of this order. No costs.

Consequently, the Miscellaneous Petitions, if any, pending in this Writ Petition shall also stand closed.

JUSTICE C. PRAVEEN KUMAR

31.08.2015
vhb