

THE HON'BLE SRI JUSTICE VILAS V.AFZULPURKAR

WRIT PETITION No.30915 OF 2015

ORDER:

Heard learned counsel for the petitioners, learned Government Pleader for Revenue and learned Standing Counsel for the 5th respondent - Temple.

The grievance of the petitioners in this Writ Petition is that respondents 2 to 4 are not completing the survey, though on their application two notices of proposed survey were given fixing the date of survey as 13.08.2015 and 08.09.2015. The notices filed along with the Writ Petition itself show that they were given to all the neighbouring land owners including the 5th respondent – Temple.

The instructions of learned Government Pleader for Revenue show that the 4th respondent is ready to conduct the survey. However, on the objections of the 5th respondent – Temple, the survey could not be completed.

Learned Standing Counsel for the 5th respondent submits that the petitioners land is located in Survey No.1497/E, whereas the land of the 5th respondent – Temple is located in Survey No.1597/RU in Sujathanagar Village, Kothagudem Mandal, Khammam District. He also states that the Temple land is already surveyed and there is no controversy with regard to its land.

Even assuming that the contention of the 5th respondent – Temple is correct, the proposed survey now sought to be conducted on the application of the petitioners that they have Acs.3.00 of land in the

said survey number and the same can be known only when the survey is conducted. Since two notices are already issued proposing to conduct survey, I do not see any reason for the 4th respondent not to conduct and complete the survey as sought for by the petitioners.

Hence, the Writ Petition is disposed of directing the 4th respondent to ensure that notices of the date of survey be served on all the neighbouring land owners including the 5th respondent - Temple and thereafter conduct the survey and complete the same expeditiously and in any case within a period of four weeks from the date of receipt of a copy of this order. However, the other neighbouring land owners are at liberty to file their objections, if any, to the survey so conducted. There shall be no order as to costs.

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

VILAS V.AFZULPURKAR, J

28.12.2015

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