

IN THE HIGH COURT OF JUDICATURE AT HYDERABAD
FOR THE STATE OF TELANGANA & THE STATE OF ANDHRA
PRADESH

* * *

WRIT PETITION No. 29050 of 2015

BETWEEN

M.Chandra Sekhar

... PETITIONER

AND

The State of Telangana, Rep. by its Principal Secretary,
Revenue Department and others

...RESPONDENTS

Date of Order pronounced: 09.09.2015

SUBMITTED FOR APPROVAL:

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THE HON'BLE SRI JUSTICE VILAS V. AFZULPURKAR

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| 1. Whether Reporters of Local newspapers
may be allowed to see the Judgments? | Yes/No |
| 2. Whether the copies of judgment may be
marked to Law Reporters/Journals? | Yes/No |
| 3. Whether his Lordship wish to see the
fair copy of the Judgment? | Yes/No |

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ORDER:-

Heard.

2. Petitioner seeks to challenge the notice of survey issued by the office of the Sub-Collector, Asifabad, dated 24.08.2015. Earlier also notices were issued to the petitioner on 01.08.2015 in view of the proceedings of the Sub-collector on the Memo dated 08.07.2015. Petitioner states that, in fact, it is the Tahsildar, third respondent,

who was directed to pass orders on the application of the petitioner for mutation, vide orders of this court W.P.No.13764 of 2013 and 24973 of 2012 dated 18.12.2014. Hence, the question of Sub-Collector directing for conducting of survey does not arise.

3. Learned Government Pleader on instructions submits that in order to comply with the aforesaid order of this court, the Tahsildar conducted spot inspection, where he found some extent of land was covered by houses and part of the some extent was vacant, and in order to know the exact position on ground, a survey was thought necessary and for that purpose the Sub-Collector was requested to issue necessary instructions for conducting of survey and based on that the Sub-Collector instructed the Deputy Inspector of Survey to conduct survey. It is also stated in the instructions that in nobody's interest the survey is being conducted and only for the purpose of passing orders, the proposed survey is being done, as per directions referred to above.

4. In view of that, therefore, I do not see any illegality in conducting of survey provided it is done after serving notice to all the parties, by taking into consideration the survey report, and by duly complying with the orders of this court referred to above.

No interference with the impugned proceedings is called for.

The writ petition is accordingly disposed of. As a sequel, the miscellaneous applications, if any, shall stand closed. There shall be no order as to costs.

VILAS V. AFZULPURKAR, J

September 9, 2015
LMV