

HON' BLE SRI JUSTICE C. PRAVEEN KUMAR

WRIT PETITION No. 33594 of 2016

ORDER:

1) Heard learned counsel for the petitioners and Government Pleader for Revenue. With the consent of both the parties, the writ petition is heard at the admission stage itself.

2) The present writ petition came to be filed seeking issuance of writ of mandamus directing the second respondent to complete the survey of the land of the petitioners situated in Sy.Nos.160 and 161, Hydernagar Village, Balanagar Mandal, Panga Reddy District by fixing the boundaries, as directed by the Commissioner, Survey, Settlement and Land Records vide Proceedings No.F1/ 1514/ 2014, dated 06.10.2015.

3) The grievance of the petitioners is that in spite of the order dated 06.10.2015 passed by the Commissioner, Survey, Settlement and Land Records, no steps have been taken by the second respondent to fix the boundaries. It is said that inaction of the second respondent is causing heavy loss to the petitioners as they are unable to protect their land from the encroachers.

4) A perusal of the material on record would show that the Commissioner, Survey, Settlement and Land Records issued proceeding No.F1/ 1514/ 2014, dated 06.10.2015, which is as under:

“Both sides present and have filed copy of order dated 18.03.2015 wherein this matter was already heard and the petitioners were directed to approach the Joint Collector, Panga Reddy District for disposal with stay of the notice impugned therein. It is submitted that petition has already been placed before the Joint Collector, Panga

Reddy District. Hence, as parallel proceedings cannot run on same subject, therefore the present case is closed without prejudice the rights of either parties. Orders pronounced accordingly on 03.10.2016 in open court and the order issued dated 18.03.2015 shall continue till the Joint Collector, Ranga Reddy District, decides the interim petition filed before him or issue any further orders as per law.”

5) It is said that though the order is passed on 06.10.2015 directing the Joint Collector to decide the interim petition filed before him or issue any further orders as per law, till date no orders passed. The said fact is not disputed by the Government Pleader for Revenue.

6) Having regard to the above, the writ petition is disposed of directing the second respondent to comply with the order dated 06.10.2015 and pass orders in accordance with law as expeditiously as possible, preferably, within a period of two months from the date of receipt of a copy of the order. There shall be no order as to costs.

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

JUSTICE C. PRAVEEN KUMAR

27.10.2016
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