

**HON'BLE SRI JUSTICE S.V.BHATT**

**W.P. No.33257 OF 2012**

**ORDER:**

Heard Mr.Sriram Srinivas for petitioner and the Assistant Government Pleader.

The petitioner prays for Mandamus declaring the action of respondents in seeking to measure and fix the boundaries of land in Survey Nos.310 and 311 of Mancheriyal Village and Mandal, Adilabad District, without verifying the files and ownership of private individuals, as illegal and arbitrary. The petitioner further prays for restraining respondents 2 and 3 from entertaining request for Panchanama and for fixation of boundaries of land in Survey Nos.310 and 311 of Mancheriyal Village.

After perusing the prayers and the allegations in the accompanying affidavit, this Court is of the view that the ancillary prayer made in the writ petition cannot be considered as the prayer is too broad and virtually amounts to preventing the authorities from acting in accordance with law. Therefore, the ancillary prayer fails and rejected. As regards the first prayer is concerned, the supposition on which the instant writ petition is filed refers to measuring and fixing boundaries of Survey Nos.310 and 311 of Mancheriyal Village and Mandal without verifying files and ownership of private individuals.

This Court is of the view, that the 2<sup>nd</sup> and 3<sup>rd</sup> respondents, if receive request for measuring and fixing boundaries of subject land, the respondents are required to issue notice to the petitioner, carry out the survey operations in the presence of parties concerned, examine the record produced by parties or available with the department and complete the survey. No exception is pleaded in this behalf. On the other hand the Assistant Government Pleader submits that as and

when survey is undertaken, respondents will follow the procedure and measure/fix the boundaries of the subject matter in accordance with law. By placing the statement of Assistant Government Pleader on record, the writ petition is disposed of. No order as to costs.

Miscellaneous petitions pending if any shall stand closed.

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**S.V.BHATT,**

**J**

Date:17.08.2016

Stp