

HON' BLE SRI JUSTICE C. PRAVEEN KUMAR

WRIT PETITION No. 27067 of 2015

ORDER:

1) The present writ petition came to be filed seeking issuance of writ of mandamus declaring the action of respondents 2 to 4 in not conducting the survey and demarcating the petitioners' land admeasuring Ac.5.00 in Sy.No.41/ 1, Ac.7.05 in Sy.No.217, Ac.47.37 in Sy.No.233/ 4 situated at Tummalapally Village, Konijerla Mandal, Khammam District pursuant to their applications dated 12.11.2013, 22.09.2014 and 29.10.2014, as being illegal, arbitrary and unjust; and consequently, direct the respondent authorities to conduct the survey and demarcation in respect of the above said land.

2) Though various grounds are raised by the petitioners in their representations, during the course of arguments learned counsel for the petitioners restricts her prayer to direct the respondent authorities to conduct survey.

3) Learned Government Pleader for Revenue submits that he has no objection for the same if the relief is restricted to conduct survey.

4) Having regard to the above facts and circumstances, the writ petition is disposed of directing the respondent-authorities to cause survey for demarcating the land of the petitioners by considering the application, if any, made for survey in accordance with law as early as possible, after giving notice to the petitioners

and also the persons concerned. While conducting survey and demarcation the respondent authorities shall follow the Circulars vide Rc.No.N1/ 1408/ 07, dated 13-07-2007, Rc.No.N1/ 6543/ 99, dated 25-07-2001; Circular vide Rc.No.N2/ 1741/ 2010, dated 18-05-2010; the guidelines issued by the Division Bench in W.A.No.618 of 2013 and also the provisions of Sections 89, 89-A and 92 of the Act. It is needless to mention that the respondent-authorities shall communicate the decision to the parties. It is open for the petitioners to prefer appeal against the said order, if they are aggrieved. There shall be no order as to costs.

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

29.11.2016

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JUSTICE C. PRAVEEN KUMAR

