

THE HON'BLE SRI JUSTICE CHALLA KODANDA RAM
WRIT PETITION NO.25493 of 2016

ORDER:

Aggrieved by the inaction of the 3rd respondent in not considering the petitioner's representations dated 21.03.2016 and 31.03.2016 for conducting effective survey pertaining to the land in Sy.No.193/64, admeasuring an extent of Ac.3-50 cents situated in Sarsala Village of Kaghaz nagar Mandal, Adilabad District, this Writ Petition is filed.

It is the case of the petitioner that on 15.08.2005 the Government has assigned land to an extent of Ac.3-50 cents situated in Sy.No.193/64 of Sarsala village, Kaghaz nagar, Adilabad District and she has been in possession and enjoyment of the same and she also constructed a house in the subject land and has been residing in the said house. While so, since she had threat of dispossession from the subject land by the third parties, she got filed a suit for perpetual injunction vide O.S.No.26 of 2009 on the file of Junior Civil Judge at Sirpur and she obtained interim injunction order in her favour. However, the said suit was dismissed for default on 04.09.2014. Subsequently, when the third parties once again tried to occupy part of the subject land claiming that the land does not fall in her survey number, she gave a grievance petition to the Sub-Collector, Asifabad and upon his directions the Tahsildar, Kaghaz nagar has conducted enquiry through Gram Sabha and submitted a report to the 3rd respondent reporting that "she was having her assigned land and no one was occupied the land". It is further submitted that in order to protect her land she filed an application to the 3rd respondent for demarcation of subject land by paying requisite fee on 21.03.2016, on that 3rd respondent instructed D.I. to conduct the enquiry and though the D.I. has conducted survey on 30.03.2016 but failed to fix the boundaries and left the place without assigning any reasons and the said report was not served on her. Hence, the Writ Petition.

Heard the learned counsel for the petitioner and the learned Government Pleader for Revenue (Telangana).

In view of the facts of the present case and admittedly the survey

has already been conducted by the respondent authorities on 30.03.2016 but as on date the said report has not been finalised, in those circumstances, there shall be a direction to the respondent authorities to finalise the survey report and also take necessary steps for fixing the boundaries in terms of the survey report after issuing notices to the parties concerned, in accordance with law.

Accordingly, the writ petition is disposed of. There shall be no order as to costs. Consequently, miscellaneous petitions, if any pending in this Writ Petition, shall also stand closed.

CHALLA KODANDA RAM, J.

Date:09.08.2016
Ssv