

HON'BLE SRI JUSTICE M.S.RAMACHANDRA RAO

W.P.No.7769 of 2016

ORDER:

Heard the learned counsel for the petitioners and the learned Government Pleader for Revenue appearing for respondents.

2. Petitioners have applied on 22-12-2015 seeking sub division of their lands and fixing of boundaries thereto.

3. On 14-06-2013 in W.P.No.110 of 2013, a Division Bench of this Court has held that survey of private lands can also be done as per the existing government guidelines as well as the provisions of the Board Standing Orders. Relying on the said order, on 03-03-2016, this Court has passed orders in W.P.No.6690 of 2016 directing the survey authorities to conduct survey for demarcating lands of the petitioners therein by considering their representations after collecting necessary charges within eight weeks. This Court had also directed that notices be issued to the applicants as well as other affected parties before conducting survey under the AP Survey and Boundaries Act, 1923 by keeping in mind that under that Act, there is no provision for making detailed enquiry with regard to right, title and interest of persons in the land. It had also referred to the

remedy of appeal under Section 11 of the said Act and also the remedy to approach the appropriate Civil Court for adjudication by the persons aggrieved by the decision in the survey.

4. Therefore, this Writ Petition is also disposed of directing the respondents to conduct a survey as per the request of the petitioners after collecting usual charges therefor within three months from the date of receipt of a copy of this order keeping in mind the above principles. No costs.

5. As a sequel, the miscellaneous petitions, if any pending, shall stand closed.

JUSTICE M.S.RAMACHANDRA RAO

Date: 10-03-2016

kvr