

THE HON'BLE SRI JUSTICE CHALLA KODANDA RAM

WRIT PETITION No. 26169 of 2016

ORDER:

The endorsement dated 02.02.2016 issued by the 3rd respondent Tahsildar, Karlapalem Mandal, Guntur District declining to conduct survey of the petitioner's land in an extent of Acs.8.76 cents in Survey No. 19/2a of Nallamothuvaripalem, Karlapalem Mandal for not having valid documents, is challenged in this Writ Petition.

The petitioner is stated to be in possession and enjoyment of the above-mentioned land. As the neighbouring land owners on Eastern and Western side have removed the boundary stones, the petitioner made an Application dated 19.06.2015 to the 3rd respondent through *mee seva* for surveying the land and fixing the boundaries. Pursuant to which, though the notice dated 21.07.2015 fixing the date of survey as 25.07.2015 was issued, the 4th respondent Mandal Surveyor, Karlapalem did not conduct the survey. Subsequently, the endorsement impugned in this Writ Petition has emerged.

To substantiate his possession over the subject property, the petitioner has annexed to the Writ Petition the copies of the pattadar pass book, etcetera. The only request made by the petitioner in the Application dated 19.06.2015 is to survey his land and fix the boundaries with respect to the neighbouring lands, details of which have been mentioned therein.

A perusal of the impugned endorsement would show that the survey was not conducted as the petitioner does not possess valid documents. For the limited purpose of conducting survey, the pattadar passbook can be taken as the valid document.

Hence, the respondent authorities are directed to conduct survey of the petitioner's land in an extent of Acs.8.76 cents in Survey No. 19/2a in Nallamothuvaripalem, Karlapalem Mandal, Guntur District and demarcate the boundaries, subject to his paying necessary charges for the said purpose. The above task shall be accomplished within 12 weeks from the date of receipt of a copy of this order.

It is needless to mention that before conducting the survey of the petitioner's land and fixing the boundaries, the respondents shall issue a notice of their intention to the neighbouring land owners. No costs.

Consequently, the Miscellaneous Applications, if any shall also stand disposed of.

CHALLA KODANDA RAM, J.

05th August 2016

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