

THE HON'BLE SRI JUSTICE C. PRAVEEN KUMAR

WRIT PETITION No.43466 OF 2016

ORDER:

Heard the learned counsel for the petitioner and the learned Government Pleader for Revenue appearing for the respondents. With their consent, the present writ petition is disposed of at the admission stage.

2. The present writ petition came to be filed with the following prayer:

“...to issue an order or direction, more in the nature of Writ of Mandamus, declaring the inaction of respondents 1 to 4, in not making survey on the application made by the petitioner as arbitrary, illegal and violative of natural justice and consequently direct the respondents to conduct survey, make sub-division by demarcating the land in Survey No.62-1D, situated at Krishnapuram Village, T.Narsapuram Gramapanchyat, T. Narsapuram Mandal, West Godavari District for extent of Ac. 4.61 cents.”

3. At the time when the matter is taken up for hearing, learned counsel for the petitioner submits that the issue involved in this writ petition is squarely covered by a judgment of this court in W.P.No.6690 of 2016.

4. Learned Government Pleader for Revenue did not dispute the same, however, stated that the said judgment covers only survey of the land, but not sub-division of the properties.

5. At this stage, learned counsel for the petitioner restricts his prayer seeking a direction to cause survey of subject land and not the sub-division of properties.

7. Having regard to the submissions made and in view of the judgment dated 03.03.2016 in W.P.No.6690 of 2016 passed by this Court, the Writ Petition is allowed and the 4th respondent is directed to cause a survey (not sub-division) for demarcating the lands of the petitioner as mentioned above by considering the representation dated 21.09.2016 submitted by him after collecting necessary charges therefor, if no endorsements are made by the 4th respondent previously, within a period of eight (08) weeks from the date of receipt of a copy of this order, after issuing notice to the petitioner and other affected parties, if any, and communicate his decision thereon to the petitioner.

Consequently, Miscellaneous Petitions, if any, pending in this Writ Petition shall stand closed. There shall be no order as to costs.

JUSTICE C. PRAVEEN KUMAR

Date:15.12.2016
INL