

HON'BLE SRI JUSTICE C. PRAVEEN KUMAR

WRIT PETITION No.39671 OF 2016

ORDER:

This Writ Petition, under Article 226 of the Constitution of India, is filed by the petitioners seeking to declare the inaction of the 3rd respondent in considering the application made by petitioner No.13 on 22.10.2016 for demarcation of land admeasuring 18997.03 Sq.Yards in Sy.Nos.115/2 & 115/3 situated at Khairatabad Village, Hyderabad District, as illegal and arbitrary.

Heard the learned counsel for the petitioners as well as the learned Assistant Government Pleader for Revenue for respondents. With their consent, the writ petition is disposed of at the stage of admission itself.

A perusal of the material placed before this Court would show that on 12.05.2016, the Tahasildar made an endorsement to the effect that demarcation in respect of subject land has already been done and the request of the petitioners for demarcation cannot be considered. The petitioners were advised to approach the Deputy Director of Survey & Land Records for redressal of their grievance. Pursuant thereto, petitioner No.13 made an application through Mee-Seva before the 3rd respondent. Aggrieved by the inaction of the 3rd respondent in considering the said application, present writ petition is filed.

Learned AGP would submit that the question of considering the application of the petitioners for demarcation does not arise as survey has already been conducted.

It is to be noted that while rejecting the request of the petitioners, the Tahasildar made an endorsement on 12.05.2016 advising the petitioners to approach the Deputy Direction, Survey & Land Records for redressal of their grievance, if any, against the alleged demarcation done in respect of land in survey Nos.115/2 and 115/3.

Having regard to the same, the Writ Petition is disposed of directing the 3rd respondent to consider the application made by petitioner No.13 on 22.10.2016, if it is in order, and dispose of the same, in accordance with law, after hearing the petitioners and all concerned, if any, at the earliest.

Miscellaneous petitions pending in this writ petition, if any, shall stand closed. No order as to costs.

C. PRAVEEN KUMAR, J

Date: 17.11.2016
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