

THE HON'BLE SRI JUSTICE S.V.BHATT

WRIT PETITION No.33088 of 2011

ORDER:

Heard Ms. N.V.R. Rajyalakshmi for petitioner and Assistant Government Pleader (Revenue) for respondents.

2. The writ petition is filed against inaction in disposing of representation dated 24.02.2011 filed by petitioner for survey and demarcation of Sy.No.350/8 of Thimmapur Village, Kappulapadda, Bheemunipatnam Mandal, Vishakapatnam District under Survey and Boundaries Act, 1929.

3. Petitioner has filed representation dated 24.02.2011, treasury payments of even date and the receipt issued by Meeseva on the application submitted by petitioner for survey are filed as annexures.

4. The first respondent has filed counter affidavit and denied the receipt of representation dated 24.02.2011 and also the inaction alleged against respondent.

5. With the assistance of counsel appearing for parties, I have perused the exhibits on which the petitioner is relying upon and *prima facie*, this Court is of the view that the stand taken by the respondents is untenable.

6. The Assistant Government Pleader (Revenue) submits that the Tahsildar, Bheemunipatnam Mandal, can be directed to look into the representation and take appropriate steps as required in law or issue endorsement, if the circumstances warrant, to petitioner.

7. I am satisfied the writ petition can be disposed of by this order:

- a) The petitioner is given liberty to represent the representation dated 24.02.2011 along with copy of

this order to Tahsildar, Bheemunipatnam Mandal, within four (4) weeks from the date of receipt of copy of this order.

- b) The Tahsildar is directed to act in accordance with law and if the request of petitioner warrants survey, the same shall be undertaken and completed, if otherwise, an endorsement is given to that effect to enable the petitioner to work out remedies before competent forum/court.
- c) The said exercise shall be completed within two (2) months from the date of representation as directed in this order.

The writ petition is disposed of. As a sequel, the miscellaneous applications, if any pending, shall stand closed. There shall be no order as to costs.

S. V. BHATT, J

August 23, 2016
DSK