

THE HON'BLE SRI JUSTICE C. PRAVEEN KUMAR

WRIT PETITION No.35441 OF 2016

ORDER:

Heard the learned counsel for the petitioner and the learned Government Pleader for Revenue appearing for respondents. With consent of the counsel appearing for both sides, 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 a writ order or direction especially one in the nature of writ of mandamus declaring that:

- a) the action of the 3rd respondent in seeking to conduct survey the land belonging to the petitioner in Sy.No.653/2 of Dharmavaram village, on the representation made by the 4th respondent as illegal and arbitrary.
- b) the 3rd respondent has no right to conduct survey in respect of the land in Sy.No.653/2 which has already been surveyed by the officials way back in 2014.”

3. Learned counsel for the petitioner submits that in the year, 2014 survey was conducted in respect of the subject land and report was submitted; that the representation, dated 29.07.2016, made by the petitioner challenging the said report to Mandal Surveyor may be considered while surveying the land in Sy.No.653/1 of Dharmavaram Village.

4. Learned Government Pleader submits that though survey was conducted earlier in respect of the subject land, no prejudice would be caused to the petitioner, if he participates in the survey.

5. Learned counsel for the petitioner submits that the petitioner has no objection for participating in the survey along with earlier report and also the representation made by the petitioner.

6. Having regard to the above and without going into the merits of the case, the Writ Petition is disposed of directing the third respondent to consider the earlier report of the Mandal Surveyor conducted in the year, 2014 and also the representation said to have been made by the petitioner on 29.07.2016 while conducting survey, in respect of the land in Sy.No.653/1 in Dharmavaram Village and fix the boundaries, in accordance with law.

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:20.10.2016
INL