

THE HONOURABLE SRI JUSTICE RAJA ELANGO

WRIT PETITION No.39631 of 2016

ORDER:

This writ petition under Article 226 of Constitution of India is filed seeking to declare the action of respondents 3 to 5 in not providing police protection to the petitioners for erecting fencing around Survey No.16 admeasuring Ac. 3.18 guntas of Sivarampalli Village, Rajendranagar Mandal, R.R. District, in terms of the survey map and report submitted by the Mandal Surveyor, Rajendranagar Mandal, R.R. District, pursuant to the directions of this Court in W.P.No.20042 of 2016, dated 23.06.2016, to put a quietus to the boundary dispute with the adjacent land owners, as illegal and arbitrary.

The grievance of the petitioners is that the petitioners are the absolute owners and possessors of the subject land and that one Mitta Rahul Dev, without any right whatsoever on the said property is trespassing into the said property under the premise that the said land is located in Survey No.23/A of Shivarampalli and it was already acquired by the Government for the purpose of APAI Dairy Farm. On the earlier occasion, the petitioners made an application for conducting survey of the said land and the said Rahul Dev objected for the same. The petitioners again made an application on 15.12.2015 to the authorities to conduct survey to determine whether the said land is situated in Survey No.16 or Survey No.23/A2 and to demarcate the boundaries to settle the disputes between the petitioners and Rahul Dev. The petitioners have obtained status quo orders in I.A.No.322 of 2016 in O.S.NO.782 of 2016, on the file of the I Additional Senior Civil Judge, Ranga Reddy District, The petitioners filed W.P.No.20042 of 2016 before this Court to consider their application, dated 15.12.2015, for conducting survey, wherein this

Court disposed of the same by directing the respondents therein to consider the application of the petitioners for survey and demarcation of the land, keeping in view the circulars vide Rc.No./N1/1408/07, dated 13.07.2007, Rc.No.N1/6543/99, dated 25.07.2001 and Rc.No.N2/1741/2010, dated 18.05.2010. Pursuant to the said orders, dated 23.06.2016, in W.P.No.20042 of 2016, the Mandal Surveyor, Rajendranagar Mandal, R.R. District, conducted survey on 23.08.2016 by demarcating and fixing the boundaries of both Survey Nos.16 and 23 of Shivarampalli Village, Rajendranagar Mandal, Ranga Reddy District. Even after that, some persons are interfering with the affairs of the petitioners herein. The main grievance of the petitioners is that the petitioners submitted a representation, dated 02.10.2016, to the 5th respondent requesting to give police protection for erecting the fencing around the subject property to put a quietus to the boundary dispute pending between the petitioners and one Rahul Dev, but till now, the same is not considered by respondents 3 to 5.

Considering the grievance of the petitioners, respondents 3 to 5 are directed to consider the representation, dated 02.10.2016, submitted by the petitioners and pass appropriate orders, in accordance with law, within a period of two (2) weeks from the date of receipt of a copy of this order.

Accordingly, the Writ Petition is disposed of. No costs. Pending Miscellaneous Petitions, if any, shall stand closed.

RAJA ELANGO,J

Date: 1st December, 2016

KL