

THE HON'BLE SRI JUSTICE C. PRAVEEN KUMAR

WRIT PETITION No.36464 OF 2016

ORDER:

Heard the learned counsel for the petitioners; the learned Government Pleader for Revenue appearing for respondents 1 to 3; and the learned Government Pleader for Stamps and Registration appearing for respondent No.4. With consent of the counsel appearing for both sides, the present writ petition is disposed of at the admission stage.

2. Since this Court is not adjudicating the matter on merits, it may not be necessary to issue notice to the 5th respondent.

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

“to issue a writ order or direction more particularly one in the nature of Writ of Mandamus, by declaring the action of the 3rd respondent in not conducting the Re-Survey in Sy. No.137 of Kaza Village, Mangalagiri Mandal, Guntur District, by considering representation of the petitioner dated 06-06-2016, as illegal, arbitrary, violate of articles 14, 19 and 21 of Constitution of India and against the principles of natural justice consequently to direct the 3rd respondent to conduct the Re-Survey in Sy.No.137 of Kaza Village, Mangalagiri Mandal, Guntur District, by considering representation of the petitioner dated 06-06-2016.”

4. Though various grounds are raised, learned counsel for the petitioners submits that without giving any notice, survey has been

conducted, which is affecting the rights of the petitioners over land in dispute.

5. Learned Government Pleader for Revenue submits that if the request made by the petitioners is in accordance with law, the authorities may be directed to consider the same.

6. Having regard to the above, the Writ Petition is disposed of directing the 3rd respondent to consider the representation dated 06.06.2016 seeking re-survey in respect of the land in Sy. No.137 of Kaza Village, Mangalagiri Mandal, Guntur District, in accordance with law, as early as possible preferably within a period of three (03) months from the date of receipt of a copy of this order. It is needless to mention that before passing any order on the said representation, the authorities shall give an opportunity of hearing the petitioners and the 5th respondent herein.

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:27.10.2016

Note: Furnish CC within two (02) days.

(B/O)
INL