

HON'BLE SRI JUSTICE C. PRAVEEN KUMAR

WRIT PETITION No.36084 OF 2015

ORDER:

This Writ Petition, under Article 226 of the Constitution of India, is preferred by the petitioners seeking to declare the inaction of the 3rd respondent in considering the representation of the petitioners made on 28.10.2015 for conducting fresh survey in respect of land admeasuring Acs.5-00 in survey No.227/6 and also in survey No.225 situated at Boyapally Shivar, Mahabubnagar Mandal and District, as illegal and arbitrary.

Heard the learned counsel for the petitioners as well as the learned Assistant Government Pleader for Revenue for respondents 1 to 3. With their consent, the writ petition is disposed of at the stage of admission itself. There is no necessity to put respondent No.4 on notice since this Court is not venturing to adjudicate the case on merits.

Though various grounds are raised in the writ petition, the learned counsel for the petitioners restricts his prayer seeking a direction to the 3rd respondent to consider the representation of the petitioners made on 28.10.2015 for conducting survey in respect of land in survey No.225 only.

Learned AGP, on instructions, would submit that survey in respect of land in survey No.227/6 was already concluded. He further submits that petitioners are not the owners of land in survey No.225. As such, their request for survey of land in respect of land in survey No.225 cannot be considered.

As seen from the written instructions submitted by the learned AGP, an application was made by one Sri Raghavender Reddy and Smt.A.Parvathamma for conducting survey in respect of land in survey No.225 and the same is still pending consideration in the office of the Tahasildar. The written instructions further reveal that a date would be fixed for conducting survey of said land under intimation to the adjacent land owners including the petitioners by way of notice.

In view of the same, the Writ Petition is disposed of directing the 3rd respondent-Tahasildar to conduct survey in respect of land in survey No.225 situated at Boyapally Shivar, Mahabubnagar Mandal and District, at the earliest, after issuing notice to the aggrieved persons including the petitioners, as asserted in the written instructions.

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

Date: 16.11.2016
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C. PRAVEEN KUMAR, J