

THE HON'BLE SRI JUSTICE C. PRAVEEN KUMAR

WRIT PETITION No.37991 OF 2016

ORDER:

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 declaring the inaction on the part of the Respondents herein in conducting Survey and fixation of boundary stones in respect of the property of the Petitioners herein of an extent of Ac. 75-00 Cents covered by Survey No. 357/4 of Botlapalem Village, Pothakamuru Revenue Village, Darsi Mandal, Prakasam District inspite of Representation Dated: 17-09-2016 as illegal, arbitrary, irregular, violative of the provisions of Andhra Pradesh Survey and Boundaries Act, 1923 and offends Article 14, 21 and 300(A) of the Constitution of India and consequently direct the Respondents herein to undertake survey and fix boundary for the above property of the Petitioners, and pass such other orders or order as this Hon'ble Court may deem fit and proper in the circumstances of the case.”

2. Though various grounds are raised in the Writ Petition, learned counsel for the petitioners restricts his prayer seeking a direction to respondent No.4 – Tahsildar, Darsi Mandal, Prakasam District, to consider the application, dated 17.09.2016, made by the petitioners seeking survey of the land admeasuring Ac.75-00 cents

covered by Survey No.357/4 of Botlapalem Village, Pothakamuru Revenue Village, Darsi Mandal, Prakasam District.

3. Learned Government Pleader for Revenue, on instructions, submits that the subject land is an objectionable land and an endorsement is made to that effect. But, the learned counsel for petitioners submits that copy of the said endorsement is not served on the petitioners.

4. Having regard to the above submission made and without going into merits of the case, if the application, dated 17.09.2016, made by the petitioners is still pending, respondent No.4 is directed to consider the same in accordance with law, at the earliest.

5. With the above direction, the Writ Petition is disposed of. Miscellaneous Petitions, if any, pending in this Writ Petition, shall stand closed. There shall be no order as to costs.

JUSTICE C. PRAVEEN KUMAR

November 08, 2016
MD