

HON'BLE SRI JUSTICE A.RAJASHEKER REDDY

WRIT PETITION No.13005 OF 2016

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ORDER:

This writ petition is filed challenging the action of the 2nd respondent in issuing proceedings No.B/File/11/2016 for conducting survey and demarcating the land in Survey No.120 of Mulkalla Village, Mancherial Mandal, Adilabad district without putting on notice to the adjacent pattadars in Survey No.135, 136 and 137.

Learned counsel for the petitioner submits that without issuing any notice to the petitioner survey was conducted and this Court on 19.04.2016 passed interim order which reads as follows;

“Since the survey pursuant to the impugned proceedings is admittedly made without notice to petitioner, pending further orders, it is declared that the survey done pursuant to the said proceedings does not bind the petitioner.”

Learned Assistant Government Pleader for Revenue states that notice in File No.B/file/11/2016 does not contain the signature of the petitioner.

Heard learned counsel for the 3rd respondent who also could not dispute the same. He submits that survey was conducted as part of investigation on the request of the S.H.O.

Since admittedly, no notice was issued to the petitioner before conducting survey and demarcating the land in Survey No.120 of Mulkalla Village, Mancherial Mandal, Adilabad District, the writ petition is allowed. However, this order will not preclude the competent authority from taking action after issuing notices to

parties. No order as to costs.

As a sequel thereto, miscellaneous petitions, if any, pending in the writ petition, shall stand closed.

A.RAJASHEKER REDDY, J

22.08.2016

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