

**THE HON'BLE SRI JUSTICE M.S.RAMACHANDRA
RAO**

WRIT PETITION No.7195 OF 2016

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ORDER:

In this writ petition, the petitioner is objecting to the action of respondents 2 and 3 in trying to conduct survey at the instance of the 4th respondent even in respect of the plot claimed by the petitioner.

Heard learned counsel for the petitioner and learned Government Pleader for Revenue for respondents 1 to 3.

There is no bar to conduct survey of private land and this has been decided authoritatively by the Division Bench of this Court in its order dated 14-06-2013 in W.A.No.110 of 2013, which was followed by another Division Bench in its order dated 16-07-2013 in W.A.No.1003 of 2013. However, as contended by counsel for the petitioner, the scheme of A.P. Survey and Boundaries Act, 1923 does not permit making any detailed enquires with regard to right, title and interest of the persons in respect of the land of which survey is sought and the purpose of survey is only to identify the land and fix boundaries. This view has already been expressed in ***Hyderabad Potteries Pvt. Ltd. Vs.***

Collector, Hyderabad District and another^[1].

Therefore, keeping in mind the above legal position, the writ petition is disposed of directing that if any survey is conducted by respondents 2 and 3 at the instance of the 4th respondent, it should be done after notice to the petitioner and any such survey conducted by respondents 2 and 3 shall not be treated as any decision on the title of either the petitioner or the 4th respondent in respect of the subject land. There shall be no order as to costs.

Miscellaneous Petitions, if any, pending in this Writ Petition shall stand closed.

**M.S. RAMACHANDRA
RAO, J**

Date: 11.03.2016
Prv

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[\[1\]](#) 2001 (3) ALT 200