

HON'BLE SRI JUSTICE S. V. BHATT

Writ Petition No.23891 of 2017

ORDER:

Heard Mr. T.D. Phani Kumar for petitioner and the learned Assistant Government Pleader (Revenue) for respondents.

2. The petitioner prays for writ of *mandamus* declaring the action of respondents 3 to 5 in interfering and trying to dispossess the petitioner from an extent of 167 sq. yards in Plot No.2 in Sy.No.5/3 of Darapalem Village, Mudasarlova Mandal, on the ground that the possession of subject property of the petitioner is in Sy.No.20 of the same village but not Sy.No.7/1. The petitioner also prays for enquiry into the location of plot with reference to approved layout No.PR.No.31D/31-7-72.

3. The Assistant Government Pleader (Revenue) submits the petitioner is not cooperating with the department for conducting survey demarcation of Sy.No.5/3 on one hand and Sy.No.20 on the other, but the petitioner is continuing to enjoy the land in Sy.No.20. Mr. T.D. Phani Kumar disputes the statement of 4th respondent and he submits that the petitioner is ready to participate in the survey for identification of respective survey numbers and to find out the location of plot purchased by him in approved layout No.PR.No.31D/31-7-72.

4. This court is of the view that the first step required in this behalf is to identify the land in Sy.No.5/3 and Sy.No.20 of Dharapalem Village and then identify the plot of petitioner with reference to approved lay out and also the documents on which the petitioner is relying upon.

5. Learned counsel consent to disposing of the writ petition by this order.

(a) The 4th respondent is directed to issue notice of survey to petitioner by registered post with acknowledgment due, entrust the matter for survey and demarcation and receive representation and proceed in the matter, subject to out come of such survey.

(b) The said exercise shall be completed within three months from today.

(c) The parties are directed to maintain *status-quo* as regards to possession and physical features of the subject matter of the writ petition, for a period of three months from today.

6. The writ petition is accordingly disposed of. No order as to costs. Pending miscellaneous petitions if any in this writ petition shall stand dismissed in consequence.

Date: 21.07.2017
BSS



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