

HON'BLE SRI JUSTICE S.V. BHATT

W.P. No.21252 OF 2017

ORDER:

Heard Mr. Narender Reddy, learned senior counsel for petitioner and the learned Assistant Government Pleader (Revenue) for respondents 1 to 6.

The petitioner prays for Mandamus declaring the inaction of respondent No.3 in proceeding with the inspection/survey of lands bearing Survey Nos. 37, 38, 42, 43, 44 and 60 of Pocharam Village, Ghatkesar Revenue Mandal, Ranga Reddy District pursuant to notice No.A5/443/2013 dated 12.04.2017 as illegal and arbitrary. The petitioner further refers to inaction in disposing of representations dated 24.01.2017 and 28.04.2017 as illegal. The learned counsel for petitioner after arguing the writ petition for sometime, has fairly submitted that a citizen is compelled to approach the Court for implementation of administrative orders or notices for there is enormous laxity in implementing decisions taken by respondents 3 to 6. According to him, a writ for Mandamus normally is not entertained against notice issued for any purpose including to conclude the survey. The learned counsel has tried to demonstrate the difficulty faced by the petitioner by relying upon the order in File No.A5/443/2013 dated 06.01.2016. According to him, the officers are not conducting the survey and demarcation as per records and documents but doing the same on the orders passed from time to time.

I have perused the documents/proceedings on which the grievance is canvassed by petitioner. Though this Court is not in agreement with the prayer for Mandamus, take up the enquiry pursuant to notice dated 12.04.2017, but at the same time, this Court is compelled to take note of the inaction in the matters of survey and demarcation by respondents 1 to 6. It is no doubt true that once a notice is issued, the notice should be brought to its logical end by reference to the relevant documents but the notice is not kept as notice for all times to come. This Court is of the view that if the 3rd respondent is not moving in the matter, the petitioner can certainly bring it to the notice of 1st and 2nd respondents or 5th respondent for appropriate decision in this behalf. Petitioner is given liberty to enclose copy of this order to enable the authorities under the Act to remedy the grievance of petitioner. The writ petition is dismissed with the above observation.

Miscellaneous petitions pending, if any, shall stand closed.

S.V.BHATT, J

Date: 29.06.2017

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