

HON'BLE SRI JUSTICE S.V. BHATT

W.P.No.19873 OF 2017

ORDER:

The petitioner prays for Mandamus declaring the inaction of the Mandal Revenue Officer, Dharmavaram/4th respondent in acting as per letter Rc.971/2015/(G) dated 03.03.2015, as illegal and unconstitutional.

The petitioner, on 24.02.2015, represented to the Revenue Divisional Officer, Dharmavaram with a request for sub-division of land in Sy.No.653-2, an extent of Ac.01-75 cents out of Ac.8-95 cents of Dharmavaram Municipality. The RDO, Dharmavaram called upon the 4th respondent as follows:

"From	To
Sri M.Nagaraja M.A Revenue Divisional Officer, Dharmavaram	The Tahsildar Dharmavaram

Rc.971/2015/(G) dated 03.03.2015

Sir,

Sub: Assignment – D.C.land – Dharmavaram Division – Dharmavaram Mandal & Town – Sy.No.653-2 ext.1.75 acres out of 8.95 acres - Representation of M.Amarendra s/o M.Govindappa – Request for Sub Division of the land – Report called for – Regarding.

Ref: Representation of M.Amarendra s/o M.Govindappa, Dharmavaram town of Dharmavaram Mandal dated 24.02.2015.

I invite your attention to the reference cited wherein Sri M.Amarendra, s/o M.Govindappa, Dharmavaram town of Dharmavaram Mandal has given a representation with a request for sub-division of the land in Sy.No.653-2 ext.1-75 acres out of 8-95 acres of Dharmavaram Municipality.

I request you to go through the contents of the petition and take necessary action urgently without any delay.

A copy of the representation is herewith enclosed for necessary action.

//True copy//

Yours faithfully,
Sd/- Nagaraja
Revenue Divisional Officer
Dharmavaram"

Now the complaint of petitioner is that the 4th respondent is not acting in the manner suggested by the Revenue Divisional Officer, Dharmavaram. The petitioner prays for Mandamus and the petitioner as matter of reference has not pleaded or could persuade this Court to issue a Mandamus for executing the letter dated 03.03.2015. The petitioner, if wants conduct of survey and demarcation, has to follow the procedure under the Survey and Boundaries Act, make payment for fixing the field line, wait for sometime, demand for compliance and if delay still continues, can, if circumstances warrant, work out the writ remedy. In the case on hand, the writ prayer is completely misconceived and this Court is not inclined to exercise its jurisdiction on discretion.

The writ petition fails and is, accordingly, dismissed. There shall be no order as costs.

Consequently, pending miscellaneous petitions, if any, stand closed.

S.V.BHATT, J

20th June, 2017

Lrkm