

HONOURABLE SRI JUSTICE P.NAVEEN RAO

WRIT PETITION NO.28865 OF 2017

Date: 30.08.2017

Between:

Yerramala Rajesh S/o Pedda Samuel, Aged 32 years,
Occu: Agriculture, R/o. Yerraguntapally village,
Chintalpudi Mandal, West Godavari District, A.P.,

.....Petitioner

and

The State of Andhra Pradesh, rep.by its Principal Secretary,
Revenue Department, Secretariat, Velagapudi, Guntur district
and others.

.....Respondents



The Court made the following:

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ORDER:

Petitioner claims to be owner and in possession of agricultural land, admeasuring Ac.1.66 cents in Sy.No.398/1 of Yerraguntapally village, Chintalapudi Mandal, West Godavari district. According to petitioner, he acquired the said property through partition deed vide partition deed bearing No.863 of 2017, dated 28.02.2017. According to petitioner, total extent of said survey number is Ac.6.77 cents. Therefore, his father applied for conducting of survey and in spite of repeated requests, survey is not conducted. On repeated representations, the authorities have corrected 1-B Register by giving separate survey number to the land of the petitioner as 398/1/C. Learned counsel for petitioner contends that finally his father made application for subdivision of the land on 02.11.2016 and the same is not acted upon. The prayer sought in the writ petition is, declaring inaction of the respondents in receiving application for subdivision of the land admeasuring Ac.1.66 cents from the total extent of land admeasuring Ac.6.77 cents in Sy.No.398/1 and not subdividing the land is illegal.

2. What is claimed by the petitioner does not appear to be in accordance with the material enclosed to the writ petition. According to petitioner, application was submitted by his father on 02.11.2016. In F-Line No.34/2014 an endorsement was furnished to the petitioner informing that the land in respect of which petitioner requested to measure and fix the boundaries is not recorded in survey record as total extent or otherwise and as land

is not subdivided in survey number, it is not possible to measure the land and fix the boundaries. At request of petitioner, land was measured and he was informed that the land in his possession is only Ac.1.16 cents. Petitioner has not contested the said endorsement. It is not known what other application is filed. On 02.08.2017, petitioner seems to have made representation to the Tahsildar requesting him to direct the Mandal Surveyor to measure the entire survey number for the purpose of subdivision. This course is not available to the petitioner in view of endorsement already given to him. If petitioner is aggrieved of such endorsement, he has to avail remedy of appeal as available in law. If petitioner has any other grievance including subdivision, without insisting for survey, he may have to make appropriate application as required by law. Thus, no prayer as sought for can be granted at this stage. Leaving it open to the petitioner to work his remedies as available in law, writ petition is disposed of.

Miscellaneous petitions, if any, pending in this writ petition shall stand closed. There shall be no order as to costs.

JUSTICE P.NAVEEN RAO

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