

HON'BLE SRI JUSTICE S.V.BHATT

W.P.No.808 OF 2014

ORDER:

The petitioner challenges notice issued by the Mandal Surveyor, Machilipatnam to survey and demarcate the land allotted to petitioner on the alleged encroachment of an extent of Ac.273-60 cents.

The petitioner challenges the issue of notice by referring to communication dated 10.03.2013, marked as Ex.P-14 in the writ petition. I have gone through Ex.P-14 and *prima facie* this Court is of the view that what is communicated through Ex.P-14 can at best be treated as a circumstance for initiating the survey and at any rate if survey is actually conducted, the same shall be in accordance with law and the Survey and Boundaries Act. The petitioner can certainly place the documents and also show the exact extent which is in his possession. The challenge to the show cause notice, in the considered view of this Court, is **misconceived**.

The writ petition is dismissed. The authorities as and when undertake survey are expected to act in accordance with law and further the petitioner is also given liberty to place the documents on which the petitioner claims an extent of 6505 acres and show the actual enjoyment as per the allotment. There shall be no order as to costs.

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

S.V.BHATT,J

15th June, 2017
Lrkm