

THE HON'BLE SRI JUSTICE M.S.RAMACHANDRA RAO

WRIT PETITION No.42045 of 2017

ORDER:

Heard the learned counsel for petitioner, learned Government Pleader for Revenue appearing for respondent Nos.1 to 4 and Sri V.Hari Haran, learned counsel appearing for 5th respondent.

2. It is not in dispute that 5th respondent has filed O.S.No.1621 of 2010 before the II Additional Senior Civil Judge, Ranga Reddy District against petitioner's vendors for injunction, and that there was a survey directed by the said Court in I.A.No.333 of 2012 for localizing the lands in Sy.Nos.110 and 111 of Madeenaguda village.

3. It is also not in dispute that subsequently the Advocate Commissioner, who was appointed to conduct survey, has conducted survey with the help of the Assistant Director of Survey and Land Records and filed a report before the said Court.

4. Petitioner in this Writ Petition is seeking a re-survey and contended that even though he filed I.A.No.642 of 2016 to implead himself in the said suit, the said application is not disposed of by the said Court.

5. In the facts and circumstances of the case, the II Additional Senior Civil Judge, Ranga Reddy District is directed to dispose of

I.A.No.642 of 2016 filed by petitioner in O.S.No.1621 of 2010 on his file, within six (06) weeks from the date of receipt of copy of the order. In the event, the petitioner is impleaded as a party in the said suit, petitioner is at liberty to seek a re-survey before the said Court by filing appropriate application, which shall be considered by the said Court in accordance with law.

6. The Writ Petition is disposed of with the above directions. No costs.

7. As a sequel, the miscellaneous petitions, if any pending, shall stand closed.

JUSTICE M.S.RAMACHANDRA RAO

Date: 28-12-2017
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