

THE HON'BLE SRI JUSTICE A.RAMALINGESWARA RAO

Writ Petition No.714 of 2018

Order:

The petitioners state that they are the absolute owners and possessors of the land admeasuring to an extent of Ac.0-23 cents, situated in R.S.No.26/2B of Gosala village, Penamaluru Mandal, Krishna District. They purchased the said land under a registered sale deed dated 16.11.2012. They filed a suit for injunction against one Murala Venkateswara Rao in O.S.No.102 of 2016 on the file of the Senior Civil Judge, Vijayawada. On the application of the petitioners, an Advocate-Commissioner was appointed and with the assistance of Mandal Surveyor the boundaries were fixed and the Advocate-Commissioner submitted a report to the Hon'ble Court. Later on, it appears that the said suit was withdrawn. However, when the petitioners saw the survey stones fixed were removed on 12.11.2017, they lodged a complaint with the police on 22.11.2017 and FIR No.725, dated 22.11.2017, was registered on the file of the Penamaluru Police Station of Vijayawada City. The petitioners state that they submitted a representation on 20.11.2017 about the illegal trespass of third parties and sought deputation of Mandal Surveyor along with official records for re-fixing the boundaries. When no action was taken on the said representation, the present Writ Petition is filed.

If the petitioners have got any grievance with regard to fixation of boundaries and seek re-fixation of the boundaries, they have to take appropriate steps in accordance with law for such purpose. The respondents 2 and 3 cannot act on the representation, as appropriate provision is made under the A.P. Survey and Boundaries Act, 1923.

In the circumstances, this Writ Petition is disposed of giving liberty to the petitioners to take appropriate steps in accordance with law for surveying the land and fixing the boundaries. There shall be no order as to costs.

As a sequel thereto, the miscellaneous petitions, if any, pending in this writ petition shall stand closed.

A. RAMALINGESWARA RAO, J

Date: 31.01.2018
Nsr

