

THE HON'BLE SRI JUSTICE S.V.BHATT

W.P. No.18049 of 2011

ORDER:

Heard Mr.C.Ramachandra Raju for petitioners and the learned Assistant Government Pleader for respondents.

The petitioners substantially complain against inaction of 3rd respondent in considering and disposing of the representation dated 24.06.2011 said to have been made by petitioners for survey, demarcation and fixing of boundaries of land assigned in favour of the petitioners herein. On 29.06.2011 this court has passed the following interim direction:

“Notice before admission returnable in six (6) weeks.

Learned counsel for the petitioners is permitted to serve the paper book in the writ petition by registered post and file proof of service.

In the meantime, the third respondent shall ensure that the lands assigned in favour of petitioners herein in Mutyalapalli Village will not be encroached upon by any third party and if it is necessary, for the purpose of protecting the same, order for survey to be undertaken for fixation of the boundaries for the assigned land.”

The writ petition is taken up for hearing nearly after seven years and it appears that there is no change on the

representation said to have been made and received by the 3rd respondent. The submission of the Assistant Government Pleader is that the petitioners are not available to serve notices for taking up survey.

Mr. Ramachandra Raju stoutly denies the assertion.

The 3rd respondent is expressing his willingness to dispose of the representation in accordance with law. To meet the ends of justice, the writ petition is disposed of as follows:

“1. The petitioners are given liberty to resubmit representation dated 24.06.2011 to 3rd respondent by enclosing copy of this order within four (04) weeks from today.

2. The 3rd respondent by referring to representation fixes the schedule for survey, demarcation and fixing the boundaries and serves notices on the petitioners herein and also neighbouring land owners within four (04) weeks thereafter.

3. The 3rd respondent disposes of the representation within two (02) weeks from the date of issue of notice”.

This Court, ought to have taken note of the non-compliance with the direction dated 29.06.2011, but has not chosen to look at the omission of the 3rd respondent in

complying with the Court order, because the 3rd respondent is not prepared to complete the survey. No order as to costs.

Miscellaneous petitions, if any, pending, shall stand closed.

S. V. BHATT, J

Dt: 21.03.2018
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