

HON'BLE SRI JUSTICE U.DURGA PRASAD RAO

WRIT PETITION No.11715 of 2014

ORDER:

Petitioner seeks a Writ of Mandamus declaring the inaction of the respondents in surveying the land of Ac.9.90 cts. in S.No.5P, 318, 319 of Buchinayudu Kandriga Mandal, Chittoor District as illegal and arbitrary and consequently direct the respondents to survey the said land and fix the boundaries in the interest of justice.

2) Petitioner's case in brief is that he purchased Ac.9.90 cts. of land in S.No.5P, 318, 319 at Neerupaka Kota Village of Buchinayudu Kandriga Mandal under settlement patta from one Gunnamma Naidu vide registered document No.811/83 dated 23.06.1983 and has been in possession and enjoyment of the same. Later, she came to know that some others, who purchased the adjacent land, fenced her land also. Then she filed an application to the 3rd respondent through Meeseva on 18.11.2013. Subsequently a notice dated 09.12.2013 was issued by 4th respondent fixing the date of survey as 17.12.2013 and the petitioner required to present at the site with all the relevant documents. Though the petitioner in due compliance of the said notice, was present along with her husband at the site on the appointed day, the respondents did not turn up and no survey was conducted on that day and on the subsequent date. The petitioner is a senior citizen and not able to move around the revenue authorities.

Hence, the writ petition.

3) Learned Government Pleader for Revenue takes notice for respondents but no counter is filed so far.

4) As can be seen from the material papers, the petitioner submitted application for survey of the land on 18.11.2013 through Meeseva and notice dated 09.12.2013 was issued by the 4th respondent fixing the date of survey as 17.12.2013. The case of the petitioner is that though the petitioner was present at the land on that date, the respondent officials did not turn up and no survey could take place either on that date or subsequent date.

5) In that view of the matter, this Writ Petition is disposed of directing the respondents 3 and 4 to fix the date for survey and intimate to the petitioner in advance and conduct survey of the land of Ac.9.90 cts. in S.No.5P, 318, 319 of Buchinayudu Kandriga Mandal within eight (8) weeks from the date of receipt of copy of this order. No costs.

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

U.DURGA PRASAD RAO, J

Date: 26.11.2018

Note: Issue CC by 28.11.2018.

(b/o)
Murthy