

THE HON'BLE SRI JUSTICE A.RAMALINGESWARA RAO

WRIT PETITION No.14924 of 2013

ORDER:

The petitioners claim to be the absolute owners and possessors of land admeasuring Ac.2.00 in Survey No.403/13, co-related to new Survey No.329/129/76 in Town Survey No.10, Block-H, Ward No.10, situated at Banjara Hills, Hyderabad, having purchased the same from one Sri Akbar Azam through a registered Sale Deed, dated 16.12.1964. The total extent of land as per TSLR is Ac.7.14 guntas and the remaining extent of Ac.5.14 guntas was purchased by some other parties. They state that the nature of the land is a patta land and consequent to death of the parents of the petitioners, they succeeded to the said property. Since there was no demarcation for the land to an extent of Ac.2.00 guntas, a representation was made on 19.10.2010 to the Deputy Director, Survey and Land Records and to the Tahsildar by paying requisite amount. When no action was taken, W.P.No.29609 of 2010 was filed and the same was disposed of on 11.09.2012 directing them to consider the said representation and take action. Even after much duration, no action was taken and in those circumstances, the petitioners constrained to issue a legal notice to the Deputy Director, Survey and Land Records to comply with the orders of this Court. Finally, the Tahsildar, Shaikpet Mandal issued Memo on 23.02.2013 stating that the land cannot be surveyed as no survey No.403/13 exists in the record, which is co-related to Survey No.329/129/76. Against the said Memo, the petitioners state that they filed an appeal under Section 11 of the A.P.Survey and Boundaries Act, 1923 on 04.03.2013 and when the same was not disposed of, the present Writ Petition is filed.

2. A copy of the appeal is filed along with the Writ Petition. In view of pendency of appeal before the Deputy Director, Survey and Land Records, Hyderabad, the respondent herein, this Writ Petition is disposed of directing the respondent to consider the appeal in accordance with law, within a period of three months from the date of receipt of a copy of this order, if it is not already disposed of.

3. Accordingly, the Writ Petition is disposed of. Miscellaneous petitions, if any, pending in this writ petition shall stand closed. There shall be no order as to costs.

FEBRUARY 06, 2018
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A.RAMALINGESWARA RAO, J



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Date: 06.02.2018

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