

HON'BLE SMT JUSTICE KONGARA VIJAYA LAKSHMI

WRIT PETITION No.20775 OF 2007

ORDER:

This writ petition is filed questioning the order, dated 28.5.2007 of the Deputy Collector and Tahsildar, Rajendranagar Mandal, Ranga Reddy District, who is the first respondent herein.

The contention of the petitioner is that his father purchased an extent of land Acs. 3.7.3/4th guntas in Sy.No.175 of Kismathpura Village *vide* sale deed, dated 9.6.1960 from the father of the 2nd respondent and that since the date of purchase, he is in possession and enjoyment of the same. It is his further contention that the 2nd respondent made an application through E-Seva to the 1st respondent to conduct survey of the said land and the 1st respondent issued a notice, dated Nil October, 2006 fixing the date of hearing for demarcation of an extent of Acs.3.09 gts., of Sy.No.174 of Kismathpura.

On a perusal of record, it is seen that the petitioners, who are having objections, filed detailed counter-objections on 18.11.2006 before the Deputy Collector, by enclosing the copy of the sale deed, dated 1.7.1960 and copies of pahani patrikas pertaining to the year 1960-61 requesting the 1st respondent not to

proceed with the survey, as the 2nd respondent and others are in no way concerned with their land. It is also stated that the respondent No.2 filed a Suit for perpetual injunction in O.S.No.2146 of 2007 on the file of I Additional Senior Civil Judge, Ranga Reddy District.

The contentions of the learned counsel for the petitioner are that firstly, the 1st respondent does not have the jurisdiction to issue the said notice, secondly, the objections filed by the petitioner are not considered, thirdly, he filed a copy of the sale deed along with the copies of pahani patrikas but they were not considered and lastly, the said order does not state under which provision of law, the same has been passed.

The learned Government Pleader submits that the sale deed, which was produced by the petitioner is unregistered sale deed which is not regularized under Section 5-A of the Pattadar Pass Book Act. He further submits that the impugned order is passed by the Deputy Collector-cum-Tahasildar, Rajendranagar Mandal, Ranga Reddy District, who is the competent authority to pass such an order.

No interim order is passed in this matter.

After hearing the arguments for some time on 15.6.2018, the learned counsel for the petitioner sought

time to get instructions as to whether the survey has been conducted or not.

None appears for the respondent No.2.

Today, when the matter is heard, the learned counsel for the petitioner submitted that the survey has already been conducted and hence, no further orders are necessary in this writ petition.

In view of the above facts and circumstances, no further orders are necessary in this writ petition and the writ petition is closed accordingly.

Miscellaneous petitions pending, if any, shall stand closed. No order as to costs.



KONGARA VIJAYA LAKSHMI, J

Date:20/6/2018

slk

HON'BLE SMT JUSTICE KONGARA VIJAYA LAKSHMI



W.P.No.20775 of 2007

Date: 20.6.2018

slk

