

HON'BLE SRI JUSTICE U.DURGA PRASAD RAO

WRIT PETITION No.175 OF 2013

ORDER:

In this case, the petitioner seeks a writ in the nature of mandamus declaring the inaction of the respondent towards the application dated 05.09.2007 submitted by the petitioner as illegal, arbitrary and violation of natural justice and consequently, direct the respondent to dispose of the aforesaid application of the petitioner.

2. Petitioner's case briefly is that:

(a) Petitioner's husband, K.Chandraiah, purchased 3 Acres of agricultural dry land in Survey No.539/part situated at Veerlapally Village, Kothur Mandal, Mahbubnagar District, under registered sale deed and she inherited the said land after death of her husband and the revenue authorities have issued pattadar pass book and title deed in her favour for the aforesaid extent of agricultural land. However, her case is that when she went to her land in 2007, she could not find the said land with the boundaries mentioned in the petition and neighbouring farmers have taken objection. Therefore, she proposed to get her land surveyed and boundaries demarcated.

(b) Her further version is that she submitted an application on 05.09.2007 to conduct survey and in this regard, she paid prescribed fee of Rs.250/- by way of bank challan dated

01.09.2007 and submitted original challan to the respondent along with her application. Thereafter, she went to the office of the respondent several times and also got issued legal notices twice on 30.05.2008 and 04.08.2012. But the respondent authorities have not responded to her request.

Hence, the writ petition.

3. Heard learned counsel for petitioner and learned Government Pleader for Revenue and perused the material papers.

4. The record shows that the petitioner submitted an application on 05.09.2007 to survey her land situated in Survey No.539/Part in Veerlapally Village, Kothur Mandal, Mahbubnagar District. The petitioner also produced the copy of the challan, where under she paid prescribed fee of Rs.250/- through State Bank of Hyderabad, Shadnagar Branch. It appears, the petitioner also got issued notices dated 30.05.2008 and 04.08.2012 to the respondent requesting him to conduct survey. No positive action seems to have been taken by the respondent. Hence, it is imperative that a direction need to be issued to the respondent.

5. In the result, this writ petition is allowed and the respondent authorities are directed to conduct survey as per procedure in respect of the petitioner's land within ten weeks from the date of receipt of a copy of this order, if survey was

not already conducted pursuant to the application of the petitioner dated 05.09.2007. No costs.

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

U.DURGA PRASAD RAO, J

15.11.2018
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