

THE HON'BLE SRI JUSTICE P.NAVEEN RAO

WRIT PETITION No.13822 OF 2018

DATED :20.04.2018

Between :

U.Veeresh S/o.Late Rangaswamy,
Age 25 yrs, Occu : Cultivation,
R/o.H.No.10-80/1, C/o.Meeseva,
Devanakonda Mandal, Kurnool District.

.. Petitioner

And

The State of Andhra Pradesh,
Rep., by its Principal Secretary,
Revenue Department, Secretariat,
Velagapudi, Guntur District & others.

.. Respondents



This court made the following :

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ORDER :

Heard learned counsel for the petitioner and learned Assistant Government Pleader for Revenue.

2. Petitioner claims that his grand paternal mother purchased house site to an extent of 188.5 Sq yards in Sy.No.46/2A, Devanakonda Village under a registered sale deed dated 22.03.1983 and the same was gifted by his mother to him on 30.03.2015. His name is reflected in the revenue records, gram panchayat records and he was issued encumbrance certificate. On 31.12.2016, petitioner made a representation to fix the boundaries of the subject property. However, his request was rejected by the Tahsildar vide his proceedings dated 06.04.2017. He thereafter submitted representation to the Revenue Divisional Officer. Alleging inaction on the said representation, this writ petition is filed.

3. On application made by petitioner, the Tahsildar vide his proceedings dated 06.04.2017 informed him that the Mandal surveyor informed the Tahsildar that it is not possible to undertake survey as there was no sub-division made in the revenue records concerning the subject land and that the house plot is not part of an approved lay out and the land stands as house plot, survey cannot be conducted. It appears the said information of the surveyor was communicated to the petitioner. Instead of availing the remedy of appeal, if aggrieved by such opinion of surveyor, petitioner made representation to the Revenue Divisional Officer,

requesting that a survey be conducted in the above stated property. He made further representation on 16.12.2017 to the Revenue Divisional Officer. In this representation he alleges that inspite of request made on several occasions to conduct survey, the survey is not conducted.

4. As seen from the above narration, the issue of survey was considered and surveyor expressed inability to undertake survey for the reasons mentioned in his note submitted to the Tahsildar. Unless these observations of the surveyor are found to be erroneous by the competent authority on placing before him cogent material by the petitioner, he cannot seek conducting of survey. Further more, as noticed above petitioner was only complaining of not conducting of survey inspite of making several requests, though decision on his request was already taken. Thus, the prayer as sought in the writ petition cannot be granted. The writ petition is mis-conceived.

5. Accordingly, the Writ Petition is dismissed. It is open to the petitioner to avail such remedies as available in law, against the view expressed by the mandal surveyor. There shall be no order as to costs.

Miscellaneous petitions, if any, pending in this writ petition shall stand closed.

20th April, 2018
Rds

P.NAVEEN RAO,J