

THE HON'BLE SRI JUSTICE M.SATYANARAYANA MURTHY

WRIT PETITION NO.36 OF 2016

ORDER:

This writ petition is filed under Article 226 of the Constitution of India, declaring the action of the respondents in not conducting survey in relation to the lands in an extent of Ac.1.75 in Sy.Nos.334,335,336 & 337 of Bachupalli Village, Quthbullapur Mandal, Ranga Reddy District, pursuant to the petitioner's online application dated 27.12.2013, as illegal and arbitrary.

It is the case, that the petitioner along with his brothers are the owners and possessors of an extent of Ac.1.75 in Sy.Nos.334,335,336 & 337 of Bachupalli Village, Quthbullapur Mandal, Ranga Reddy District, having purchased the same under registered Sale Deed Document No.1900/1995 dated 22.02.1995 for valuable consideration. Since then, they are in enjoyment and possession of the property. On 27.12.2013, the petitioner made an online application requesting the 2nd respondent to conduct survey of land in Sy.Nos.334,335,336 & 337 of Bachupalli Village, as some of the villagers have started encroaching into the land of the petitioner and started utilizing the same as graveyard. Though an online application was made, no survey was conducted till date and therefore, the inaction of the 3rd respondent is questioned in this writ petition seeking a direction as stated supra.

Learned Government Pleader for Revenue for the State of Telangana requested to pass appropriate orders.

In reply to the online application dated 27.12.2013, the Deputy Collector & Tahsildar, Quthbullapur Mandal issued a Memo No.B/1/2013 dated 16.01.2014 informing that, without mentioning specific reference/file number, it is not possible to

trace out the file in which the information is sought and hence, advised the petitioner to submit application duly mentioning specific reference/file number, so as to enable him to trace out the file and furnish the information.

It is an undisputed fact that this petitioner purchased an extent of Ac.1.75 in Sy.Nos.334,335,336 & 337 of Bachupalli Village, Quthbullapur Mandal, Ranga Reddy District under registered Sale Deed, Document No.1900/1995 dated 22.02.1995 and further made an online application on 27.12.2013 requesting the 2nd respondent to conduct survey in relation to Sy.Nos.334,335,336 & 337 of Bachupalli Village, as some of the villagers have started encroaching into the land of the petitioner and started utilizing the same as graveyard. But, the 3rd respondent did not conduct the survey.

When the 3rd respondent received fee for conducting survey, it is for the 3rd respondent to issue necessary instructions. But, no steps were taken till date. Therefore, as there is an inaction on the part of the respondents, it is appropriate to issue direction to the respondents to get the land surveyed by Mandal Surveyor within two months from the date of receipt of copy of this order, if the petitioner complied all the necessary requirements for making an online application for conducting survey, subject to the provisions of The Telangana Survey and Boundaries Act, 1923.

With the above direction, the writ petition is disposed of.

Consequently, miscellaneous applications pending if any, shall stand closed. No costs.

JUSTICE M. SATYANARAYANA MURTHY

Date:16.04.2018

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