

THE HON'BLE SRI JUSTICE ABHINAND KUMAR SHAVILI

WRIT PETITION NO.4892 OF 2007

ORDER:

1. This writ petition is filed seeking to issue a writ of Mandamus declaring the action of the respondents in not conducting the survey to demarcate the land admeasuring of Ac.17.38 guntas in Sy.Nos.168 to 176 of Bhag Amiri Village, Balanagar Mandal, Ranga Reddy District by fixing the boundary stones as illegal and arbitrary, and consequently, to direct the respondents to forthwith conduct the survey through their surveyors and demarcate the above said lands by correctly fixing the boundary stones.

2. Heard Sri K. Murali Krishna, learned Counsel for the petitioner and the learned Government Pleader for Revenue.

3. It has been submitted by the learned Counsel for the petitioner that originally late Sri Ganeshan Ghadiyalsaaz is an inamdhar and consequently, pattadar of lands admeasuring Ac.23.19 guntas in Sy.Nos.126 to 246 and 250 of Shamshiguda village in Sy.Nos.162 to 176 of Bhag Amiri village and Sy.Nos.1 to 5, 8 to 10, 12, 14, 15, 18, 19, 27, 29 to 35, 17, 20 to 25, 36, 37, 74, 76, 80 to 91, 206 to 274 of Kukatpally village and Sy.No.302 of Inamguda village in Balanagar Mandal, Ranga Reddy District, and after his death, his legal representatives succeeded to the property by way of inheritance and they have been enjoying the said property as absolute owners. Further, it has been submitted that all the legal heirs have executed a General Power of Attorney dated 24.12.2005 in favour of the petitioner to safeguard the property of late Ganeshan Ghadiyalsaaz and the petitioner submitted a representation to the 1st respondent to conduct survey of lands admeasuring Ac.17.33 gts in Sy.No.168 to 176 of Bhag

Amiri village and to demarcate the said lands and in pursuance of the said request, the 1st respondent issued a notice dated 25.9.2006 to the petitioner to conduct survey, but no such survey was conducted and therefore, the petitioner filed this writ petition.

4. The learned Government Pleader submits that though the respondents went to survey the lands, the petitioner did not turn up.

5. Considering the facts and circumstances of the case and the grievance of the petitioner, this Court is of the view that ends of justice would be met if the respondents are directed to conduct survey afresh. Accordingly, the respondents are directed to conduct survey afresh by considering the representation of the petitioner dated 26.8.2006, and pass appropriate orders, within a period of four weeks from the date of receipt of a copy of this order. It is needless to say that the petitioner will pay the requisite charges for the survey to be conducted by the respondents.

6. With the above direction, the Writ Petition is disposed of. No costs. Consequently, miscellaneous petitions pending, if any, shall stand closed.

(ABHINAND KUMAR SHAVILI,J)

16th March, 2018

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16.3.2018

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