

HON'BLE SRI JUSTICE C.PRAVEEN KUMAR

WRIT PETITION No.29631 of 2018

ORDER :

Heard learned counsel for the petitioner and learned Assistant Government Pleader for Revenue (Andhra Pradesh).

2. With the consent of both parties, the Writ Petition is disposed of at the admission stage.

3. The present Writ Petition came to be filed seeking issuance of Writ of Mandamus declaring the action of the respondents in not conducting the survey of the lands admeasuring Ac.0.15 cents in Survey No.306/11 and Ac.0.24cents in Survey No.306/13, situated at Ponduru village and mandal, Srikakulam District, inspite of making on-line application dated 07.03.2018, as illegal and arbitrary.

4. Learned Assistant Government Pleader, who took time to get instructions, placed before the Court the written instructions stating that the field inspection was conducted in the presence of the writ petitioner and the lands shown by the petitioner are not mentioned in the record book. According to her, the said lands are registered in the name of one Sri Sri Sri Ramalingeswara Swamy (endowment). The lands shown by the writ petitioner were also claimed by Sri Anakapalle Paidinaidu, who also made an online application. In view of the above, it is her case that no survey can be conducted.

5. Learned counsel for the petitioner disputes holding of survey in the presence of the petitioner. According to her, if the survey was conducted in the presence of the petitioner, definitely there would have been a panchanama prepared immediately after the survey. Learned Assistant Government Pleader, who admits preparation of a panchanama of the survey submits that the panchanama is not available in the record.

6. Be that as it may, the fact remains that the application made by the petitioner in F-I is pending consideration and no orders are passed till date.

7. Having regard to the above, the Writ Petition is disposed of directing the Tahsildar concerned to deal with the application submitted by the petitioner by taking into consideration the circulars issued from time to time and pass orders in accordance with law, within a period of six (06) weeks from the date of receipt of a copy of the order.

8. As a sequel thereto, Miscellaneous Petitions, if any, pending in this Writ Petition, shall stand closed. No costs.

C.PRAVEEN KUMAR, J

Date: 30.08.2018
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