

THE HON' BLE SRI JUSTICE C. PRAVEEN KUMAR

WRIT PETITION No. 30553 of 2018

ORDER:

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

2. With the consent of both the 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 and not fixing the boundary stones in respect of the land admeasuring Acs.2.17 cents in Survey No.407-P, situated at Kakuturu village, Venkatachalam Mandal, SPSR Nellore District, as illegal and arbitrary.

4. The petitioners claim to be the absolute owners and possessors for the above said land. On 12.01.2018, the wife of the petitioner expired intestate and the property devolved upon the petitioners and since then they are paying cists to the subject property. When the third parties tried to interfere with the property in dispute, the petitioner made a representation on 26.12.2017, requesting the concerned to fix boundary stones to the subject land after paying the requisite fee. Their inaction towards the said representation is the subject matter of challenge in the present Writ Petition.

5. The grievance of the petitioner is that though the application was made in the month of December, 2017, till date no action has been initiated.

6. Learned Government Pleader would submit that having regard to the factual situation, the petitioner may be directed to make fresh application, in which event, if the petitioners are entitled to, the entire process would be completed within a period of two months therefrom.

7. In view of the submission made by learned Government Pleader, the Writ Petition is disposed of directing the petitioners to make fresh online application for survey, in which event the respondent-authorities shall deal with the said application and proceed in conducting survey and pass orders on the said application. It is needless to mention that such exercise should be completed as early as possible, preferably, within a period of two months from the date of the representation.

8. Miscellaneous petitions, pending if any, shall stand closed in the light of this final order. No order as to costs.

JUSTICE C. PRAVEEN KUMAR

29.08.2018
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