

THE HONOURABLE SRI JUSTICE M.S.RAMACHANDRA RAO

WP.No.44226 of 2017

ORDER:

Heard counsel for petitioner and the Government Pleader for Revenue appearing for respondents.

2. Petitioner had applied for survey on 20.10.2017 since the petitioner's apprehension was that although he purchased Acs.1.26 guntas in survey No.471 of Nellutla Village, Lingalaghanapur Mandal, Jangaon District under registered sale deed No.1447/2000, the land actually in his occupation is some what less. Petitioner also paid the requisite charges for the said survey.

3. However, the impugned Memo has been issued by the 3rd respondent without conducting any survey and stating that the petitioner has to blame his vendor and himself for not getting the land surveyed before the sale deed was executed and that there is no necessity to do any survey.

4. It is not known how the 3rd respondent can come to the conclusion of there being less land belonging to the petitioner without conducting any survey as sought by the petitioner. Only after conducting survey, for which the petitioner had even paid charges, he can come to such conclusion.

5. Therefore, the impugned Memo is set aside and the 3rd respondent is directed to cause a survey to be done as sought by the petitioner and then inform the petitioner in writing as to the extent of the land within the boundaries of the sale deed under which the petitioner purchased the property in question. This exercise shall be done within a period of two (02) months from the date of receipt of a copy of this order.

6. Accordingly, the Writ Petition is allowed. No costs.

7. Miscellaneous petitions, pending if any, shall stand closed.

04th January, 2018.
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M.S.RAMACHANDRA RAO, J

