

THE HON'BLE SRI JUSTICE CHALLA KODANDA RAM

WRIT PETITION No. 46790 of 2018

ORDER :

This Writ Petition is filed seeking a *mandamus* to declare the action of Respondents 3 and 4 in not conducting survey and fixing the boundaries of the land in a total extent of Acs. 3.17 cents i.e. Ac.1.58 cents in Survey No. 48/1 and Ac.1.69 cents in Survey No. 259/4 of Papaiahpalle Village, Besthavaripeta Mandal, Prakasam District, pursuant to the petitioner's Application dated 12.01.2018 (Transaction ID TAFS011800397584 and TAFS011800397557 submitted through *mee seva*) as illegal and arbitrary.

Heard learned counsel for the petitioner.

Learned Government Pleader for Revenue (Andhra Pradesh) asserts that the petitioner had failed to furnish any document substantiating his claim in relation to the subject land.

Having regard to the judgment of this Court in ***Muramalla Padmavathi v. State of Andhra Pradesh***¹, the Writ Petition can be disposed of with a direction to Respondents 3 and 4 to conduct survey of the land in Survey No. 259/4 of Papaiahpalle Village and demarcate the boundaries subject to the petitioner paying necessary charges, keeping in view the Circulars vide Rc.No. N1/1408/07, dated 13.07.2007, Rc.No.N1/6543/99, dated 25.07.2001 and Rc.No. N2/1741/2010, dated 18.05.2010 and also in terms of the judgment in Writ Appeal No. 618 of 2013 and also keeping in view the provisions of Sections 89, 89-A and 92 of the

¹ 2016 (3) ALD 650

Act and take necessary action and communicate the decision to the parties. It is open for the petitioner to prefer Appeal against the said order, if he is aggrieved in terms of the circulars referred to above. Inasmuch as the Application is said to have been made in January 2018, the entire exercise shall be completed within eight weeks from the date of receipt of a copy of this order.

With the above order, the Writ Petition is disposed of. No costs.

It is needless to mention that before conducting survey, the authorities are bound to follow the procedure prescribed in particular, issuance of notice to the adjacent land owners.

CHALLA KODANDA RAM, J

26th December 2018

ksld



HIGH COURT OF JUDICATURE AT HYDERABAD
FOR THE STATE OF TELANGANA & THE STATE OF ANDHRA PRADESH

MAIN CASE No: WRIT PETITION No. 46633 OF 2018
PROCEEDING SHEET

SL. NO.	DATE	ORDER	OFFICE NOTE
02.	26.12.2018	<u>CKR,J</u> <u>W.P.No. 46633 OF 2018</u> Rule nisi. Call for records. Notice returnable in four weeks. <u>I.A.No. 1 OF 2018</u> When the Writ Petition came up for admission on 24.12.2018, in spite of the apprehension expressed by the petitioner that without following due process and without issuing any written orders, the respondents have demolished the tenement of the petitioner and that she is likely to be dispossessed even from the place where she is residing, this Court, acceding to the request of the learned Government Pleader, adjourned the matter so as to enable him to get instructions. Today, learned counsel for the petitioner asserts that as apprehended, the respondents have completely demolished the construction of the petitioner. Inasmuch as, as on date, there is no written order passed against the petitioner, both the parties shall maintain <i>status quo</i> obtaining as on date. Needless to say that the petitioner shall also not make any further construction whatsoever. Notice. ----- CKR,J ksld	Transferred to IO folder.

HIGH COURT OF JUDICATURE AT HYDERABAD
FOR THE STATE OF TELANGANA & THE STATE OF ANDHRA PRADESH

MAIN CASE No: WRIT PETITION No. 43882 OF 2018
PROCEEDING SHEET

SL. NO.	DATE	ORDER	OFFICE NOTE
03.	26.12.2018	<u>CKR,J</u> <u>W.P.No. 43882 OF 2018</u> Issue notice to the respondents. Learned counsel for the petitioner is also permitted to take out notice to the 4th respondent by Registered Post and file proof of service. Post after six weeks. <u>I.A.No. 1 OF 2018</u> Pending further orders, the Assistant Director of Mines and Geology, the 5th respondent herein shall scrupulously examine the parameters that are required to be considered, particularly keeping in view the observations of the Pollution Control Board, before taking any decision. Notice. ----- CKR,J ksld	Transferred to IO folder.

HIGH COURT OF JUDICATURE AT HYDERABAD
FOR THE STATE OF TELANGANA & THE STATE OF ANDHRA PRADESH

MAIN CASE No: WRIT PETITION No. 43882 OF 2018
PROCEEDING SHEET

SL. NO.	DATE	ORDER	OFFICE NOTE
03.	26.12.2018	<u>CKR,J</u> <u>W.P.No. 43882 OF 2018</u> Rule nisi. Call for records. Notice returnable in four weeks. <u>I.A.No. 1 OF 2018</u> It is brought to the notice of this Court that in similar circumstances, this Court granted interim order in Writ Petition No.13847 of 2018 on 19.04.2018 and in Writ Petition No. 28720 of 2018 on 19.09.2018. In view of the same and for the reasons alike in the order dated 19.04.2018, there shall be interim stay of the proceedings disabling the DIN of the petitioners. Further, the 1st respondent is directed to restore the DIN number of the petitioners, pending disposal of this Writ Petition so as to enable them to submit annual returns and financial statements of the active companies. Notice. ----- CKR,J ksld	Transferred to IO folder.

HIGH COURT OF JUDICATURE AT HYDERABAD
FOR THE STATE OF TELANGANA & THE STATE OF ANDHRA PRADESH

MAIN CASE No: WRIT PETITION No. 46602 OF 2018
PROCEEDING SHEET

SL. NO.	DATE	ORDER	OFFICE NOTE
02.	26.12.2018	<u>CKR,J</u> <u>W.P.No. 46602 OF 2018</u> Rule nisi. Call for records. Notice returnable in four weeks. <u>I.A.No. 1 OF 2018</u> Since it is the assertion of the petitioner that though he holds permission to carry on construction, the 3rd respondent Tahsildar has been visiting the subject premises and obstructing the constructions, without issuing any order to that effect, in writing, the 3rd respondent shall not interfere with the same, in any manner. Notice. ksld ----- CKR,J	Transferred to IO folder.

HIGH COURT OF JUDICATURE AT HYDERABAD
FOR THE STATE OF TELANGANA & THE STATE OF ANDHRA PRADESH

MAIN CASE No: WRIT PETITION No. 46617 OF 2018

PROCEEDING SHEET

SL. NO.	DATE	ORDER	OFFICE NOTE
02.	26.12.2018	<u>CKR,J</u> <u>W.P.No. 46617 OF 2018</u> Rule nisi. Call for records. Notice returnable in four weeks. <u>I.A.No. 1 OF 2018</u> The case of the petitioner is that his grandfather was originally assigned the land in an extent of Acs.2.00 in Survey No. 788/A situated at Lakshmipuram Village, Kallur Mandal, Kurnool District as landless poor person and thereafter, his father in 1975 and himself in 2009, succeeded to the said property. Since it is the allegation of the petitioner that the 4th respondent along with his subordinates came to the subject land and demanded them to vacate the same as they are proposing to allot the same to landless poor persons and since the respondent authorities are trying to cancel the pattadar passbooks and title deeds issued in respect thereof, the 4th respondent is directed not to do so, without issuing any order, in writing, to that effect. Notice. ----- CKR,J ksld	Transferred to IO folder.

HIGH COURT OF JUDICATURE AT HYDERABAD
FOR THE STATE OF TELANGANA & THE STATE OF ANDHRA PRADESH

MAIN CASE No: WRIT PETITION No. 46624 OF 2018
PROCEEDING SHEET

SL. NO.	DATE	ORDER	OFFICE NOTE
02.	26.12.2018	<u>CKR,J</u> <u>W.P.No. 46624 OF 2018</u> Rule nisi. Call for records. Notice returnable in four weeks. <u>I.A.No. 1 OF 2018</u> Since it is the assertion of the petitioners that though they hold permission to carry on construction, the 3rd respondent Tahsildar has been visiting the subject premises and obstructing the constructions, without issuing any order to that effect, in writing, the 3rd respondent shall not interfere with the same, in any manner. Notice. ksld ----- CKR,J	Transferred to IO folder.

CHALLA KODANDA RAM, J

26th December 2018

ksld

