

THE HON'BLE SRI JUSTICE SANJAY KUMAR

WRIT PETITION No.1714 of 2019

ORDER:

The grievance of the petitioner is that the Tahsildar, Shameerpet Mandal, Medchal District, refused to undertake survey of the land as sought by him *vide* Memo dated 24.01.2019.

Perusal of the said Memo demonstrates that the Tahsildar was of the opinion that as the petitioner was not the pattadar of the entire land in Survey No.646 of Devar Yamjal Village, Shameerpet Mandal, Medchal-Malkajgiri District, it would not be possible to undertake the survey without the consent of the pattadars of the remaining land in the said survey number.

Instructions were issued by the office of the Commissioner of Survey, Settlements and Land Records, Andhra Pradesh, Hyderabad, under Circulars dated 13.07.2007 and 18.05.2010. Separately, Circular dated 25.07.2001 was issued by the office of the Special Commissioner and Director, Survey Settlements and Land Records, Andhra Pradesh, Hyderabad. These circular instructions indicate that the stand taken by the Tahsildar, Shameerpet Mandal, Medchal District, is not tenable as it would be open to the revenue authorities to undertake sub-division of the survey number, if warranted, and then proceed to survey the land.

In that view of the matter, the Memo dated 24.01.2019 issued by the Tahsildar, Shameerpet Mandal, Medchal District, is set aside. The application of the petitioner shall stand restored for consideration afresh by the authority concerned, be it the Tahsildar, Shameerpet Mandal, Medchal-Malkajgiri District, or the Assistant Director, Survey and Land Records, Malkajgiri District, in terms of the aforesaid Circulars dated 25.07.2001, 13.07.2007 and 18.05.2010 and the law laid down in

W.A.No.110 of 2013 *vide* order dated 14.06.2013 in relation to these Circulars. This exercise shall be completed expeditiously and in any event, not later than eight weeks from the date of receipt of a copy of this order.

The writ petition is allowed to the extent indicated above.

Pending miscellaneous petitions, if any, shall stand closed in the light of this final order. No order as to costs.

JUSTICE SANJAY KUMAR

Date:07.02.2019

GJ