

HONOURABLE SRI JUSTICE SANJAY KUMAR

WRIT PETITION No.2965 of 2019

ORDER:

The prayer of the petitioner in this case reads as under:

“For the reasons stated in the accompanying affidavit, it is hereby prayed that this Hon'ble Court may be pleased to issue an appropriate Writ, Order or Direction, more particularly one in the nature of Writ of *Mandamus* declaring the action of respondents 2 to 6 in not conducting survey of the petitioners land in an extent of Ac.0.20 guntas situated in Survey.No.69/1AA of Gangannapeta Village, Utnoor Mandal, Adilabad District, as illegal, arbitrary and violative of Articles-14, 21 and 300A of Constitution of India and consequently direct respondent Nos.2 to 6 to conduct survey and fix boundaries to the petitioners land in an extent of Acres.0.20 guntas situated in Survey No.69/1AA of Gangannapeta Village, Utnoor Mandal, Adilabad District and to pass such other order or orders as this Honourable Court may deem fit and proper in the facts and circumstances of the case.”

Though the petitioner paid a sum of Rs.500/- to the Government under a treasury challan, perusal of the application made by him to the Assistant Director, Survey and Land Records, Adilabad, reflects that he did not even mention the sub-division number of the Survey number that he wants surveyed.

Be it noted that the petitioner's prayer in the Writ Petition requires a survey to be undertaken of an extent of Ac.0.20 guntas of land in Survey No.69/1AA of Gangannapeta Village, Utnoor Mandal, Adilabad District, but his application and the resultant Memo dated 12.4.2018 issued by the Assistant Director, Survey and Land Records, Adilabad, mentions only Survey No.69 and not Survey No.69/1AA of Gangannapeta Village, Utnoor Mandal, Adilabad District.

Learned Assistant Government Pleader for Revenue, State of Telangana, would also bring it to the notice of this Court that an application requires to be made online by way of a F-line petition

along with the requisite fee and necessary documentation seeking survey of the said land.

It is manifest that the petitioner has not followed the due procedure while applying for a survey and did not even furnish the correct survey number. Having failed to abide by the due procedure, it is not open to the petitioner to complain of inaction on the part of the revenue authorities.

The Writ Petition is accordingly disposed of permitting the petitioner to make an application afresh in the prescribed format along with the requisite fee and necessary documentation. In the event such an application is made, the revenue authorities shall take appropriate action thereon expeditiously.

Pending Miscellaneous Petitions, if any, shall stand disposed of in the light of this final order. No order as to costs.

JUSTICE SANJAY KUMAR

15th February, 2019
dr