

HONOURABLE SRI JUSTICE SANJAY KUMAR

WRIT PETITION No.3165 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 inaction of Respondent No.4 in conducting survey and fixing of boundaries in respect of total land admeasuring 666 Sq yards in Plot Nos.111, 112 and 113 in Sy.No.210, Ghatkesar, Kondapur Village, Medchal District, despite application dated 30.11.2018 and reminder representation dated 31.01.2019 as illegal, arbitrary and violative of principles of natural justice and consequently direct Respondent No.4 to conduct survey and fix boundaries by following due process of law and to pass appropriate orders forth 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.”

The matter was adjourned on 18.02.2019 to enable Sri D.Sudharshan, learned counsel for the petitioner, to verify and produce the approved layout under which the petitioner claims rights in Plot Nos.111, 112 and 113, totally admeasuring 666 square yards.

The registered sale deed executed in favour of the petitioner demonstrates that these plots fall in Survey No.210 of Kondapur Village, Ghatkesar Mandal, Medchal District. It is not disclosed as to what is the total area of this survey number.

As it is now admitted that the subject plots do not form part of an approved layout, it would not be possible for the revenue authorities to authenticate the same by undertaking survey operations and fixation of boundary stones on the strength thereof. The prayer of the petitioner to direct the revenue authorities to

undertake survey operations therefore cannot be countenanced in such circumstances.

The Writ Petition is devoid of any merit and is accordingly dismissed.

Pending Miscellaneous Petitions, if any, shall also stand dismissed. No order as to costs.

JUSTICE SANJAY KUMAR

25th February, 2019
dr

