

THE HON'BLE SRI JUSTICE SANJAY KUMAR

WRIT PETITION No.5963 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 the Respondents particularly Respondent Nos.4 & 5, in refusing to undertake survey of the land of the petitioner admeasuring Acs. 2.15 Gts. in Sy.No. 25/E, situated at Madharam(kalan) Village, Shaligouraram Mandal, Nalgonda District, by demarcating and fixing the boundaries thereof, as illegal, arbitrary, unconstitutional apart from being in violation of principles of natural justice and contrary to the provisions of A.P. Survey and Boundaries Act 1923 and Rules made there under, consequently, direct the Respondent Nos. 4 & 5, to conduct survey and demarcate the subject land of the Petitioner and fix up the boundaries thereof and pass such other order or orders as the Hon'ble Court may deem fit and proper in the circumstances of the case.'

Perusal of the record reflects that the petitioner was not only issued a regular pattadar pass book under the provisions of the Telangana Rights in Land and Pattadar Pass Books Act, 1971, but also the new pattadar pass book in terms of the Government's policy wherein his land holding in Survey No.25/E of Madharam Kalan Village, Shaligouraram Mandal, Nalgonda District, is shown as Acs.2.15 guntas.

Learned Assistant Government Pleader for Revenue, State of Telangana, would however state that unless proper sub-division is undertaken, it would not be possible for the revenue authorities to undertake a survey for demarcation of the subject extent of Acs.2.15 guntas.

As the petitioner has not made an application in this regard, the writ petition is disposed of permitting the petitioner to submit a F-line petition online seeking sub-division of Survey No.25/E and consequential survey thereof as per the procedure. In the event such an application is made, the Tahsildar, Shaligouraram Mandal, Nalgonda District, shall take

appropriate action thereon expeditiously and in any event, not later than eight weeks from the date of receipt of such application.

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

JUSTICE SANJAY KUMAR

Date:22.03.2019

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