

THE HON'BLE SRI JUSTICE CHALLA KODANDA RAM

WRIT PETITION No.6204 of 2019

ORDER:

Petitioner asserts that there is a boundary dispute with respect to his land in Survey Nos.621 and 624 of Mankhal Village, Maheshwaram Mandal, Ranga Reddy District with that of the land of the Forest Department. He further asserts that in spite of repeated surveys and directions issued by the respective authorities, the forest officials are interfering with his possession over the subject land.

Heard learned counsel for the petitioner.

Learned Government Pleader for Forests disputes the assertions of the petitioner.

Having regard to the respective submissions and having gone through the material placed before this Court as on date, this Court does not find any joint survey having been conducted.

In the light of the afore-stated facts and circumstances of the case, the writ petition is disposed of giving liberty to the petitioner to approach the competent authority by filing an application along with the requisite fee seeking survey of the subject land as well as the land of the Forest Department. As and when such an application is made, the competent authority, after issuing notice to the respective parties by fixing a date, shall conduct survey of the subject land and fix the boundaries based on the documents as well as on the ground position. If either of the parties does not come forward to attend the said survey, the competent authority shall be entitled to proceed

further by recording that in spite of the notices issued, the parties are not present, and thereafter, based on the survey conducted, the demarcation of the boundaries shall be made and the survey report shall be prepared as mandated under the Andhra Pradesh Survey and Boundaries Act. The parties shall be entitled to raise their respective objections, which shall be recorded by the competent authority at the time of survey and the same shall be dealt with before making a final report. If any of the parties are aggrieved by the survey report, they shall be entitled to avail the appropriate legal remedies available to them under the above said Act.

Miscellaneous petitions, if any, pending in this writ petition shall also stand disposed of. There shall be no order as to costs.

CHALLA KODANDA RAM, J

Dt:26.03.2019

Note: Issue cc in one week.
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