

THE HON'BLE SRI JUSTICE SANJAY KUMAR

WRIT PETITION No.6480 of 2019

ORDER:

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

'For the reasons disclosed in the accompanying affidavit, it is prayed that this Hon'ble Court may be pleased to issue a Writ of Mandamus or any other appropriate Writ or Writs, Order or Direction, declaring the action of Respondent Nos.2 and 3 in indefinitely deferring the survey of lands belonging to petitioners in Sy.No.246 and 251 admeasuring Ac.2.17 gts and Ac.1.27 gts respectively situated at Malkapur Village, Nizamabad Rural Mandal, Nizamabad District, in spite of issuing Notice dt. 14.3.2019 by the third respondent as illegal and arbitrary and to consequently direct the Respondents to forthwith conduct survey of the above lands pursuant to the applications made by petitioners through Mee Seva on 9.2.2019 ; Award costs and pass such other or further orders as are deemed fit and proper in the circumstances of the case.'

Learned Assistant Government Pleader for Revenue, State of Telangana, states on instructions that owing to the impending elections, the revenue officials have been allotted election duty and are therefore not in a position to complete the survey.

Perusal of the record reflects that the Tahsildar, Nizamabad Rural Mandal, Nizamabad District, issued a notice on 14.03.2019 proposing to hold the survey at 9.30 AM on 16.03.2019. However, for some reason, the survey did not take place on the said date.

It is not open to the revenue authorities to delay the survey operations having already issued a notice to all the parties concerned.

The Writ Petition is accordingly disposed of directing the Tahsildar, Nizamabad Rural Mandal, Nizamabad District, to complete the survey operations in terms of the notice issued earlier on 14.03.2019 expeditiously and in any event, not later than four weeks from the date of

receipt of a copy of this order, be it from whatever source. Needless to state, the Tahsildar, Nizamabad Rural Mandal, Nizamabad District, shall abide by the due procedure while conducting such survey.

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

JUSTICE SANJAY KUMAR

Date:02.04.2019

GJ

