

HONOURABLE SRI JUSTICE P.NAVEEN RAO

WRIT PETITION NO.13156 OF 2019

Date: 02.07.2019

Between:

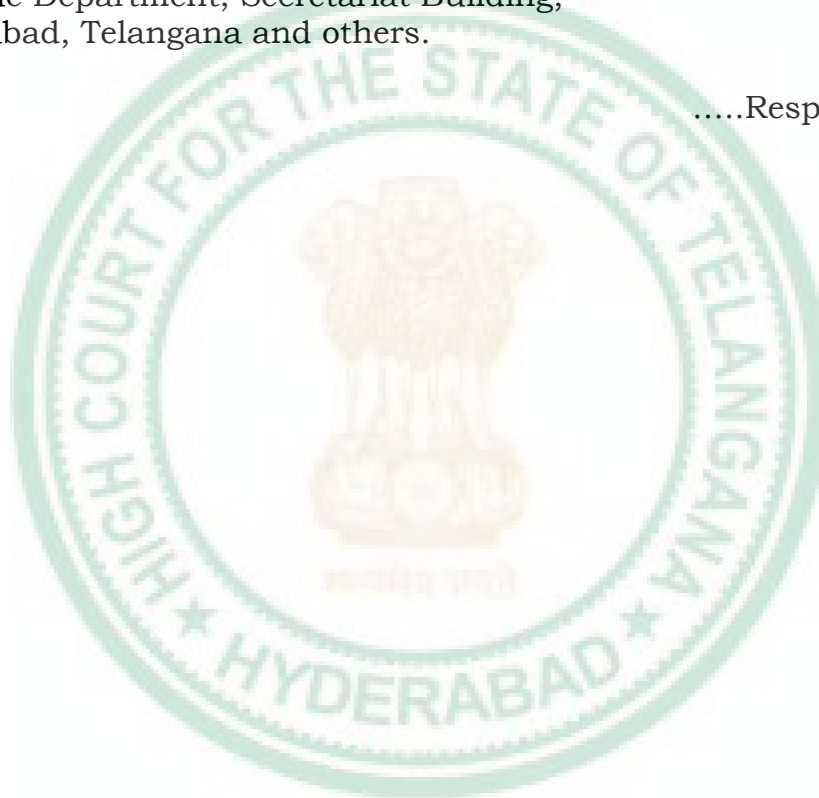
Sureddi Muthyam Reddy, s/o. late Venkat Reddy,
Aged 54 years, occu: Agriculture, r/o.7-1-76,
Ganganpahad village, Rajendranagar Mandal,
Ranga Reddy District.

.....Petitioner

and

The State of Telangana, rep.by its Prl.Secretary,
Revenue Department, Secretariat Building,
Hyderabad, Telangana and others.

.....Respondents



The Court made the following:

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ORDER:

Petitioner claims to be the owner and in possession of agricultural land to an extent of Ac.0.07 guntas in Sy.No.317, and Ac.0.06 guntas in Sy.No.318 of Gaganpahad village, Rajendranagar Mandal, Ranga Reddy district. Petitioner also claims to be owner of land in Sy.Nos.320, 322, 323, 325 and 326 of the same village. In this Writ Petition, petitioner challenges the notice issued by Tahsildar, Rajendranagar Mandal, dated 20.06.2019, informing him that he proposed to conduct survey on 04.07.2019 at 11.00 A.M., in Sy.Nos.317, 318 of Gaganpahad, based on the application filed by person, namely, Sri Mangali Sathaiah. Petitioner claimed to have filed objections on 22.06.2019 against conducting of survey stating that the person, who claimed to have made application, is stranger to the property and he cannot apply for conducting of survey and on his application, exercise could not be taken up.

2. Learned counsel for petitioner sought to place reliance on Section 17 of the Telangana Survey and Boundaries Act, 1923 to contend that stranger to the property cannot request for conducting of survey.

3. Whether the applicant is stranger to the property and on what basis the application is made before the Tahsildar for conducting of survey cannot be gone into at this stage. It is appropriate to note that Tahsildar is competent authority to accept the request for conducting of survey. Therefore, notice for

conducting survey cannot be held as illegal. Though learned counsel for petitioner sought to contend that under the guise of conducting survey, he sought to be dispossessed, this Court cannot go into this aspect as it depends on the issue of possession and ownership claims. However, it is needless to observe that since objections are filed, it cannot be expected that the competent authority would ignore those objections. Therefore, this Court is not inclined to entertain the Writ Petition at this stage. Thus, leaving it open to petitioner to work out his remedy as and when an adverse decision is made on the issue, Writ Petition is dismissed. Pending miscellaneous petitions shall stand closed.

JUSTICE P.NAVEEN RAO

Date: 02.07.2019

Note: Issue C.C. by tomorrow.
(b/o.)
kkm

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