

HONOURABLE SRI JUSTICE P.NAVEEN RAO

WRIT PETITION NOS.14122, 14126, 14141, 14143 & 14146
OF 2019

Date:11.07.2019

W.P.No.14122 of 2019:

Between:

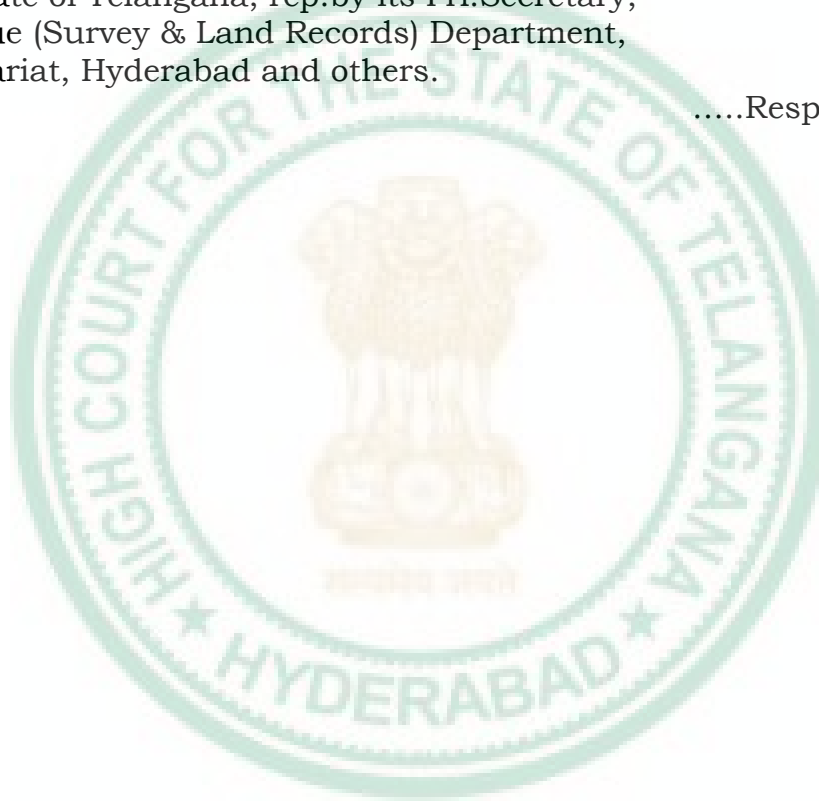
Smt. M.Radha, w/o. late Muddala Brahmananda Kumar,
Aged about 62 years, occu: Housewife, R/o.H.No.1-9-1015,
Adikmet, Vidya Nagar, Hyderabad.

.....Petitioner

and

The State of Telangana, rep.by its Prl.Secretary,
Revenue (Survey & Land Records) Department,
Secretariat, Hyderabad and others.

.....Respondents



The Court made the following:

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COMMON ORDER:

Petitioners claimed to have purchased house plots in layout in Sy.Nos.153, 154 and 155 of Koheda village, Abdullapurmet Mandal, Ranga Reddy district. Petitioners allege that as there are disturbance to the boundaries earmarked to their plots, and they are unable to locate their house plots, they applied for conducting of survey. In response to the applications made by the petitioners, the Office of Tahsildar, Abdullapurmet Mandal, vide Memos dated 28.06.2019 and 29.06.2019 refused to conduct survey on the ground that petitioners are not the pattadars and that they failed to submit documentary evidence about the acquisition of title over the land. These Writ Petitions are filed challenging the said memos.

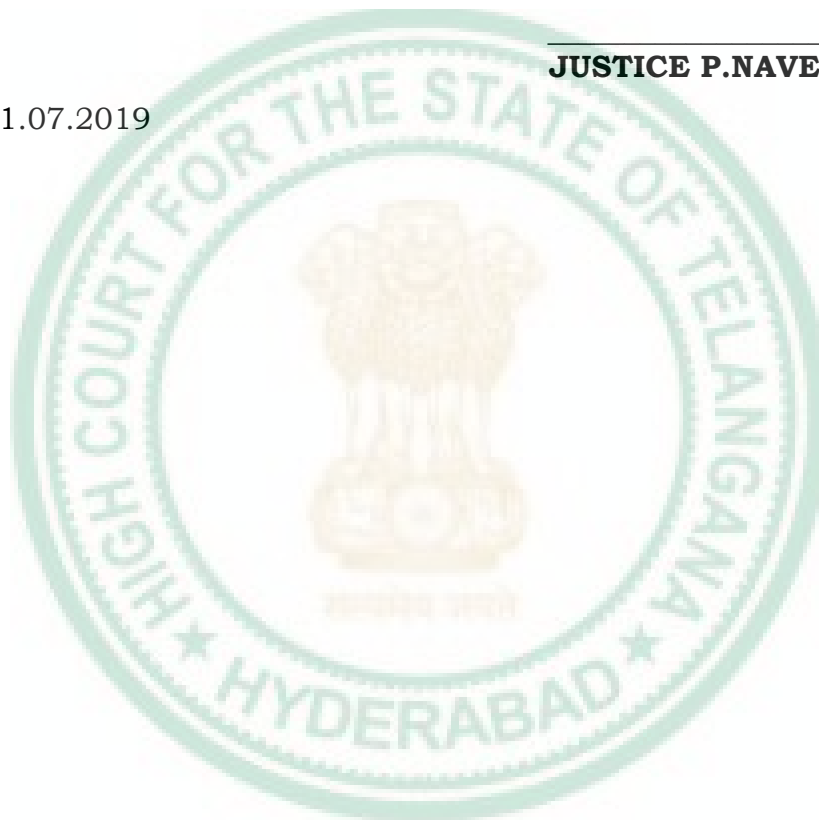
2. Learned counsel for petitioners sought to contend that petitioners purchased the plots by way of registered sale deeds and they wanted the individual plots earmarked. Therefore, impugned memos are not valid and if due opportunity was afforded to them, they would have satisfied the authorities.

3. Learned Government Pleader points out that the Chief Commissioner of Land Administration issued circular instructions, which provide remedy of appeal against the refusal to conduct survey before the Revenue Divisional Officer and thereafter second appeal, and further appeal is also provided. The issue agitated in the Writ Petitions can be ventilated before the Revenue Divisional Officer, and the Revenue Divisional Officer is competent to examine the grievance by verifying the records and issue suitable directions to his subordinates. Since effective remedy is available to ventilate the

grievance of petitioners, and what is contended require verification of facts, Court is not inclined to entertain the Writ Petitions at this stage. Writ Petitions are accordingly dismissed, leaving it open to petitioners to avail remedy of appeal before the Revenue Divisional Officer, if so advised. It is needless to observe that if such appeal is preferred, the Revenue Divisional Officer shall consider the said appeals and pass appropriate orders within a period of six weeks from the date of receipt of such appeals. Pending miscellaneous petitions shall stand closed.

JUSTICE P.NAVEEN RAO

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