

THE HONOURABLE SRI JUSTICE P.NAVEEN RAO

WRIT PETITION No.15420 OF 2019

DATED :25.07.2019

Between :

Banda Sujathamma W/o.Narsireddy,
Aged about 62 yrs, Occu : Agriculture,
R/o.Nimmani Village, Narkatpally Mandal,
Nalgonda District & another.

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Petitioners

And

The State of Telangana,
Rep., by its Principal Secretary,
Revenue Department,
Secretariat, Hyderabad & others.

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Respondents



This court made the following :

THE HONOURABLE SRI JUSTICE P.NAVEEN RAO

WRIT PETITION No.15420 OF 2019

ORDER :

This writ petition is filed challenging the notice dated 03.07.2019 issued by the Surveyor, Office of the Tahsildar Narkatpally, basing on an application filed by B.Pitchireddy to conduct survey of land in Sy.No.296. It appears, petitioners filed objections on 17.07.2019 opposing conducting of survey.

2. According to learned counsel for the petitioners survey was not conducted on the date earlier specified but further date is assigned now to conduct survey.

3. According to learned counsel, the reason for opposing conducting of survey is on the ground that petitioners instituted O.S.No.172 of 2019 in the Court of Junior Civil Judge, Nalgonda, wherein the person who requested for conducting of survey and another person are defendants therein. Since suit is pending, conducting of survey would prejudice the interest of petitioners in prosecuting their suit.

4. However, learned counsel for petitioners unable to state as to how petitioner is affected by conducting survey. Petitioners claim that they are the owners of land to an extent of Ac.2-20 guntas and that their names should be mutated in the revenue records. The survey is sought to be conducted in Sy.No.296.

5. Admittedly, as stated by learned counsel for petitioners, respondents 4 and 5 have land adjacent to the land claimed by the petitioners. Thus, merely because a survey is conducted, the claim made in the pending suit and the prayer sought cannot be vitiated.

6. Hence, I am not satisfied with the plea taken for opposing conducting of survey. However, it is always open to the petitioners to raise objections during the course of conducting of survey and if they are not satisfied with the manner of conducting of survey and the findings on survey, it is always open for them to avail the remedy in accordance with law. Granting the said liberty, the Writ Petition is dismissed. Pending miscellaneous petitions, if any, shall stand closed.

25th July, 2019
Rds

P.NAVEEN RAO,J

