

HONOURABLE SRI JUSTICE P. NAVEEN RAO

WRIT PETITION No. 18061 of 2019

Date : 22.8.2019

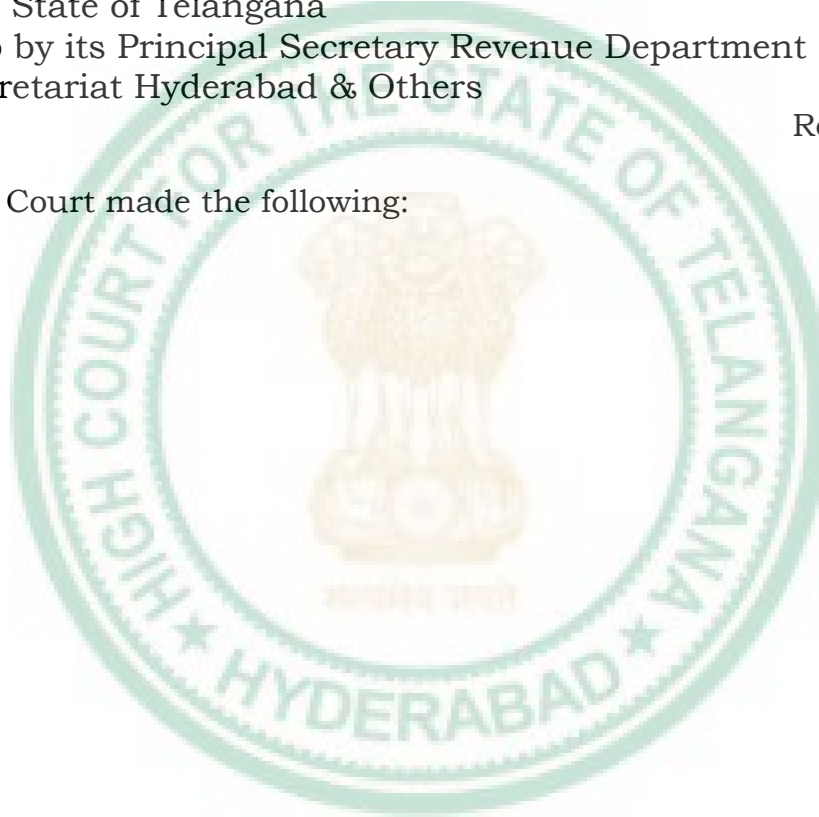
Between:

Rawath Ram Barfa S/o Bhuraram
Aged 65 years Occ Agriculture R/o H No 13-136/2 Main Road
Medchal Village and Mandal Medchal Malkajgiri District
Petitioner

And

The State of Telangana
Rep by its Principal Secretary Revenue Department
Secretariat Hyderabad & Others
Respondents

The Court made the following:



HONOURABLE SRI JUSTICE P. NAVEEN RAO

WRIT PETITION No. 18061 of 2019

ORAL ORDER:

Heard learned counsel for petitioner and learned Government Pleader for Revenue.

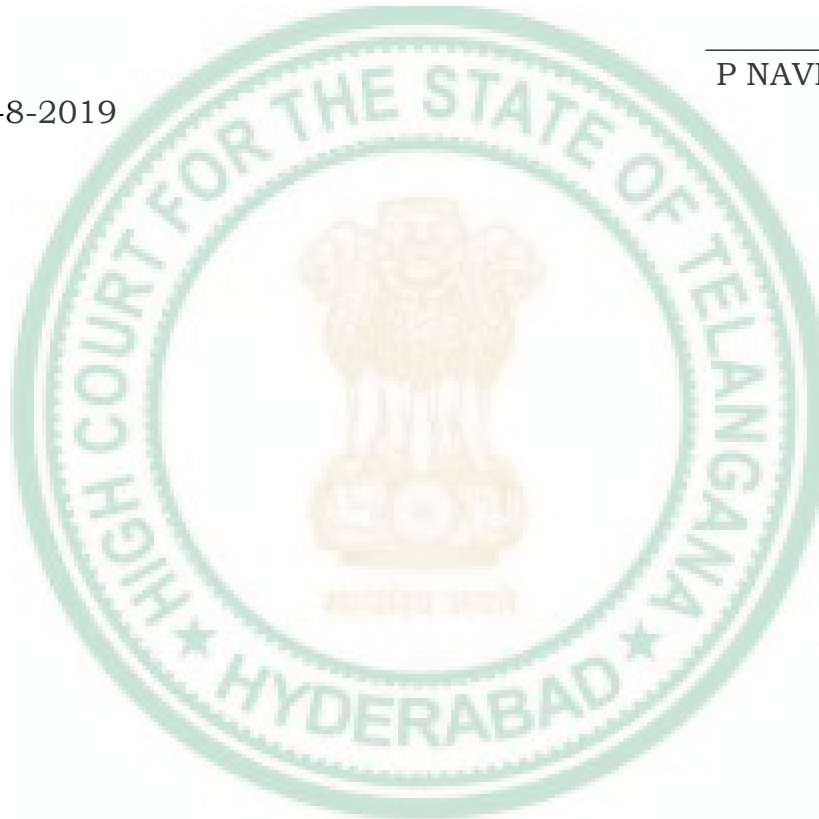
2. According to petitioner, 6th respondent claims to have purchased small extent of land in Survey No. 126, Kondapur village, Manoharabad mandal, Medak district and applied for conducting of survey. On the request of 6th respondent, survey authorities proposed to conduct survey on 17.8.2019 without issuing notice to petitioner, who claims to be owner of different extents of land totaling to Ac.5.11 guntas in adjacent survey numbers i.e., 128, 128/1 and 134/1, Kondapur village, Manoharabad mandal, Medak district. Petitioner claims that as an adjacent property owner he is entitled to notice and opportunity. Having come to know that survey was proposed to be conducted on 17.8.2019, petitioner filed a complaint on 16.8.2019 alleging non compliance of provision under Section 9 (2) of Telangana Survey and Boundaries Act, 1923 and the same was acknowledged by office of Tahsildar. Petitioner alleges that so far Tahsildar has not acted upon his complaint. Petitioner now apprehends that there is likelihood of Survey Inspector conducting survey without compliance of the provisions of the Act, 1923.

3. As seen from the material on record, on 16.8.2019 petitioner lodged protest calling upon Tahsildar to cause notice on him, in the event of conducting survey covering his land. Apparently, so far no fresh date is indicated proposing to conduct survey. At this stage, it cannot be

said that Tahsildar failed to follow the due procedure contemplated under the Act, 1923 warranting interference of this Court. Therefore, the cause in the writ petition is premature. Accordingly, the writ petition is dismissed, leaving it open to the petitioner to work out remedies available under law, if survey is conducted affecting his land without following due procedure contemplated under the Act, 1923. Miscellaneous petitions, if any pending, are closed.

DATE: 22-8-2019
TVK

P NAVEEN RAO,J



HONOURABLE SRI JUSTICE P. NAVEEN RAO



WRIT PETITION No. 18061 of 2019

Date : 22.8.2019