

THE HON'BLE SRI JUSTICE CHALLA KODANDA RAM

WRIT PETITION No.19371 of 2019

ORDER:

This Writ Petition, under Article 226 of the Constitution of India, is filed seeking the following relief:

“to issue an appropriate writ order or direction more particularly one in the nature of Writ of Mandamus declaring the inaction of the Respondent No 3 in responding to the application filed by the Petitioners on 3.8.2017 and representation dated 3.7.2019 seeking to get the lands of the Petitioner surveyed by the Mandal Surveyor as arbitrary illegal and against to the fundamental principals of natural justice and to direct the Respondent No 3 to depute the Mandal Surveyor with a direction to survey the lands of the Petitioners in Survey No 135/AA1 135/AA2/1 139/A5 152/AA 136/E 139/A2/2 152/E 136/EE and 139/A6 of Pentlavelli village of Pentlavelli Mandal Nagarkarnool District in the interest of equity and justice

2. Heard the learned counsel for the petitioners and the learned Assistant Government Pleader for Revenue appearing for the respondents.

3. Learned counsel for the petitioners as well as learned Government Pleader for Revenue, in one voice, submit across the Bar that the issue involved in this Writ Petition is squarely covered by the order dated 28.04.2016 in Writ Petition No. 4811 of 2011, operative portion of which reads as under:

“In view of the above facts and circumstances, the Writ Petitions are disposed of directing the respondent authorities to consider the Applications of the petitioners for survey and demarcation of lands after receiving necessary charges, keeping in view the Circulars *vide* Rc.No. N1/1408/07, dated 13.07.2007, Rc.No. N1/6543/99, dated 25.07.2001 and Circular *vide* Rc.No. N2/1741/2010, dated 18.05.2010 and also in terms of the judgment in W.A. No. 618 of 2013 and also keeping in view the provisions of

Sections 89, 89-A and 92 of the Act and take necessary action and communicate the decision to the parties. It is open for the petitioners to prefer appeal against the said order, if they are aggrieved in terms of circulars referred to above.”

4. In view of the above submission, this Writ Petition is also disposed of directing the respondent authorities to consider the Applications of the petitioners for survey and demarcation of lands, after receiving necessary charges therefor, keeping in view the circulars and the provisions of the Act, as stated in the order dated 28.04.2016 in Writ Petition No. 4811 of 2011 and batch, within a period of two (2) months from the date of receipt of a copy of this order. No costs.

Consequently, the miscellaneous Applications, if any, stand closed.

CHALLA KODANDA RAM, J

SEPTEMBER 11, 2019

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Date:11.09.2019

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