

THE HONOURABLE SRI JUSTICE P.NAVEEN RAO

WRIT PETITION Nos.22253 AND 22254 OF 2019

Dated:21.10.2019

W.P.No.22253 of 2019

Between:

S. Santhosh Rao Naik, S/o. Roop Singh
Naik, aged about 32 years, R/o.Plot No.62,
Road No.3, Tirumala Hills, Gaddiannaram,
Hyderabad and others

.. Petitioners

And

The Assistant Director, Survey and Land
Records, Ranga Reddy District and others

.. Respondents



This Court made the following:

THE HONOURABLE SRI JUSTICE P.NAVEEN RAO

WRIT PETITION Nos.22253 AND 22254 OF 2019

COMMON ORDER:

Heard learned senior counsel for the petitioners, learned Government Pleader for Revenue for respondents 1 and 3, learned Government Pleader for Home for respondent No.2, Sri P. Sridhar Reddy, learned counsel for respondent Nos.4 and 5, and Sri G. Madhusudhan Reddy, learned counsel for respondents 6 and 7.

2. Petitioners in W.P.No.22253 of 2019 claim to be the owners of land in Survey Nos.455 and 456, whereas the petitioners in W.P.No.22254 of 2019 claim to be the owners of land in Survey Nos.464, 465, 467 and 468 of Maheshwaram Village and Mandal, Ranga Reddy District.

3. According to learned senior counsel appearing for the petitioners, there is an *inter se* dispute between the unofficial respondents in O.S.No.137 of 2018 pending on the file of V Additional District Judge, Ranga Reddy District. In the said suit, I.A.No.717 of 2019 was filed by the plaintiffs praying to appoint an advocate commissioner to note down the physical features of the suit schedule property with the assistance of the Assistant Director, Survey and Land Records, Ranga Reddy District, and by order dated 22.07.2019, the trial Court appointed the advocate commissioner, as prayed for. It further directed to take photographs in the presence of both parties; fix boundaries and submit report to the Court by 26.08.2019. The extents of land in which the said directions are required to be complied are in two

bits, in total Acs.16.00 guntas, – the first is Survey No.455 to an extent of Acs.11.09 guntas and Survey No.456 to an extent of Acs.14.39 guntas, and the other is Survey No.459 to an extent of Acs.10.14 guntas, Survey No.460 to an extent of Acs.12.30 guntas and Survey No.466 to an extent of Acs.5.04 guntas.

4. Learned senior counsel appearing for the petitioners apprehend that in the guise of the order of the trial Court for conducting survey, serious efforts are being made to conduct survey in the lands of the petitioners also, which are no way concerned with the suit schedule property and the said action is illegal.

5. Though learned senior counsel fairly submits that the petitioners are no way concerned with the litigation pending in the Court of V Additional District Judge, Ranga Reddy District, and though there was no direction from the Court to conduct survey of their lands, having regard to the activities undertaken by the survey authorities with the police protection, the petitioners seriously apprehend that there is a possibility of entering into their lands to conduct survey and the same is not permissible.

6. Sri G. Madhusudhan Reddy, learned counsel for respondents 6 and 7, and Sri P. Sridhar Reddy, learned counsel for the plaintiffs in the suit, fairly submit that the grievance of the plaintiffs is confined to the survey numbers in the schedule appended to I.A.No.717 of 2019; they never asked for conducting survey in other survey numbers and what is contended by learned senior counsel is only an apprehension.

7. Learned Government Pleader fairly submits that they would ensure that the orders of the trial Court be strictly complied with and no survey would be conducted in the land in other survey numbers unless an order from the competent Court is obtained.

8. Having regard to the same, the Writ Petitions are disposed of, without expressing any opinion on merits, directing the survey authorities to strictly comply with the directions issued by the V Additional District Judge, Ranga Reddy District, in I.A.No.717 of 2019 on 01.10.2019, and conduct survey. It is however made clear that, if survey has to be conducted in the land in other survey numbers other than the one mentioned in the said I.A., necessary orders from the competent Court have to be obtained. Pending Miscellaneous Petitions, if any, shall stand closed.

Date:21.10.2019

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P. NAVEEN RAO, J