

THE HONOURABLE SRI JUSTICE P.NAVEEN RAO

WRIT PETITION NO.27198 OF 2019

Date: 09.12.2019

Between:

S.C.Burial Ground,
Amistapur Village, Bhoothpur mandal,
Mahabubnagar District,
Rep., by its President, G.Ramulu

.....Petitioner

And

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

.....Respondents



The Court made the following:

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ORDER:

Heard learned counsel for the petitioner and learned Government Pleader for Revenue for respondents 1 to 4.

2. Petitioner is challenging the notice issued by the Tahsildar, proposing to conduct survey on 10.12.2019 at 10.30 a.m., on land in Sy.Nos.357, 358 and 362 of Amistapur Village.

3. According to petitioner from the time immemorial, the people belonging to scheduled caste community have been using the land in above survey numbers, as burial ground, whereas a survey is sought to be conducted, without issuing notice and affording opportunity to the petitioner, affecting their interest.

4. However, learned counsel for the petitioner is unable to point out the extent of allotment or any such allotment made and reflection of burial ground in the Gram Panchayat records.

5. From the representation made on 24.06.2019, on behalf of petitioner, it appears, that petitioner-Association seeks allotment of Ac.5-00 of land in the said survey numbers and as fairly submitted by learned counsel for the petitioner, so far land is not allotted. Thus, at this stage, petitioner cannot object for conducting of survey and merely because survey is conducted it does not take away the right of petitioner nor can it be said at this stage that existing burial ground is going to be affected by virtue of conducting survey. In fact, it may recognize existence of burial ground and specifications of area. If petitioner intends to oppose conducting of survey, it is open for him to file objections,

before the date of conducting survey and if any such objections are filed, the same shall be considered by the Tahsildar.

6. With the above observations, the Writ Petition is disposed of. Pending miscellaneous petitions, if any, shall stand closed.

P.NAVEEN RAO, J

9th December, 2019
Rds

