

THE HON'BLE SRI JUSTICE P.NAVEEN RAO

WRIT PETITION No.27945 OF 2019

Dated:17.12.2019

Between:

Nirmala, W/o. Yadagiri,
Aged 42 years, Occ: Housewife,
R/o.H.No.2-3-692/C/48/1,
Annapurana Nagar, Amberpet,
Hyderabad and others

.. Petitioners

And

The State of Telangana, rep., by its
Principal Secretary, Revenue Department,
Secretariat, Hyderabad and others

.. Respondents



This Court made the following:

THE HON'BLE SRI JUSTICE P.NAVEEN RAO

WRIT PETITION No.27945 OF 2019

ORDER:

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

2. Petitioners are challenging the survey report of the Mandal Surveyor, Medipally Mandal, submitted to the Tahsildar, Medipalli Mandal, dated 15.10.2019, stated to have been obtained under the Right to Information Act, contending that this report is affecting the rights of the petitioners in respect of their lands in Survey No.50.

3. *Prima facie* from a reading of the survey report, it does not indicate as to whether demarcation was made overlapping the land in Survey No.50 and petitioners may have a grievance only if there is overlapping.

4. Be that as it may, against conducting of survey and submitting report by the Mandal Surveyor and taking decision by the Tahsildar, remedy of appeal is available to the petitioners as per the procedural guidelines formulated by the Government. But, the petitioners have not availed the said remedy. The appellate authority would be in a better position to appreciate the contentions of the petitioners that behind their back, the authorities conducted survey in Survey No.49/1 which would affect their interests and he would be in a better position to look into the record and appreciate the said contention. Therefore, the Court is not inclined to entertain the Writ Petition.

5. The Writ Petition is accordingly dismissed granting liberty to the petitioners to avail the remedy of appeal and the appellate authority shall consider the objections raised by the petitioners, within a period of three months from the date of filing of the appeal, after affording due opportunity to both the parties. Pending Miscellaneous Petitions, if any, shall stand closed.

P. NAVEEN RAO, J

Date:17.12.2019

KH

