

THE HONOURABLE SRI JUSTICE SANJAY KUMAR

WRIT PETITION NO.27315 OF 2018

ORDER

The prayer of the petitioners in this case reads as under:

‘For the reasons stated in the accompanying affidavit, it is hereby prayed that this Hon’ble Court may be pleased to issue an order, direction or Writ one in the nature of Writ of Mandamus directing the respondent Nos. 2 and 3 to conduct Survey in Sy.No. 42 of Bandlaguda Village, Uppal Mandal, Medchal district treating the possession of 4th respondent to an extent of Ac. 29.04 guntas in Sy.No. 42 of Bandlaguda Village, Uppal Mandal, Medchal district as confirmed by 3rd respondent in its letter dt.29-01-2010 and Pahani’s for the year 2010, and pass such other order or orders may deem fit and proper in the circumstances of the case.’

Perusal of the record reflects that the petitioners claim rights in an extent of land situated in Survey No.49 of Bandlaguda Village while Telangana Rajiv Swagruha Corporation Limited, the fourth respondent herein, claims rights in land situated only in Survey No.42 of the said Village. The dispute between these two parties therefore boils down to the demarcation of the boundary between the two survey numbers.

That apart, it appears that there are other parties involved in relation to the land in Survey No.42 of Bandlaguda Village and as the revenue authorities would be required to undertake a survey in relation to the entire land in this survey number while demarcating the boundary between Survey Nos.42 and 49 of Bandlaguda Village, it would be appropriate that a comprehensive survey is undertaken so as to settle all disputes.

The writ petition is accordingly disposed of directing the Tahsildar, Uppal Mandal, Medchal-Malkajgiri District, and the Assistant Director, Survey and Land Records, Medchal-Malkajgiri District, to take appropriate action upon the petitioners' representation dated 09.07.2018 and the letter dated 16.07.2018 addressed by the Tahsildar, Uppal Mandal, Medchal-Malkajgiri District, to the Assistant Director, Survey and Land Records, Medchal-Malkajgiri District, and undertake a survey of the land in Survey No.42 of Bandlaguda Village after giving due notice to all parties affected thereby, so as to demarcate the land in the said survey number and also the boundary between Survey No.42 and Survey No.49 of Bandlaguda Village. This exercise shall be completed expeditiously and in any event, not later than eight weeks from the date of receipt of a copy of this order, be it from whatever source.

Pending miscellaneous petitions shall stand closed in the light of this final order. No order as to costs.

19th MARCH, 2019

Svv

SANJAY KUMAR, J