

THE HON'BLE SRI JUSTICE A.ABHISHEK REDDY

WRIT PETITION No.10425 of 2020

ORDER:

Aggrieved by the inaction of the respondents in conducting survey of the subject lands belonging to the petitioners and demarcating the lands, the present writ petition is filed.

2. With the consent of both the parties, the present writ petition is disposed of at the admission stage itself.

3. The learned Counsel appearing for the petitioners has contended that the matter is squarely covered by the common order, dated 28.04.2016, passed by this Court in W.P.No.4811 of 2011 and batch. Therefore, the writ petition may be allowed in terms of the above referred common order.

4. The learned Government Pleader for Revenue appearing for the respondents has fairly conceded that the common order of the learned Single Judge passed in W.P.No.4811 of 2011 and batch, dated 28.04.2016, covers the *lis* in question.

5. A reading of the common order, dated 28.04.2016, passed in W.P.No.4811 of 2011 and batch, reveals that this Court while dealing with the issue in question and taking into consideration the Circulars by the Commissioner, Survey, Settlements and Land Records, has held as under:

“23. 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 of W.A.No.618 of 2013 and also keeping in view of 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.”

6. In view of the above, the present writ petition is allowed in terms of the common order, dated 28.04.2016, passed in W.P.No.4811 of 2011 and batch. The petitioners are directed to make F-line application before respondents seeking sub-division of the survey number, by paying requisite fee, within a period of ten days from the date of receipt of a copy of this order, if not already made. On such application being made, the respondents are directed to complete the survey/sub-division/demarcation, as expeditiously as possible, preferably within a period of three months from the date of receipt of a copy of this order. It is needless to mention that the petitioner, as well as the neighbouring landowners will be put on notice before undertaking any survey, and take into account the work memos, if any, filed by any of the parties.

The miscellaneous petitions pending, if any, shall stand closed. There shall be no order as to costs.

A.ABHISHEK REDDY, J

Date : 24.07.2020.
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