HIGH COURT FOR THE STATE OF TELANGANA
AT HYDERABAD
(Special Original Jurisdiction)

TUESDAY, THE FIFTEENTH DAY OF DECEMBER
TWO THOUSAND AND TWENTY

PRESENT

THE HON'BLE Dr. JUSTICE SHAMEEM AKTHER

WRIT PETITION NO: 17827 OF 2020

Between:

Dr. Alwala Rajeshwar Rao, S/o.Dr.A.Gnaneshwar Rao, Aged about 40 Years, Occ. Doctor, R/o.H.No.19-5-103/9, Housing Board Colony, Bahadurpura, Hyderabad.
...PETITIONER

AND

1. The State of Telangana, Rep. by its Principal Secretary, Revenue Department, Secretariat, Hyderabad.
2. The District Collector, Vikarabad District At Vikarabad.
3. The Tahsildar, Vikarabad Mandal, Vikarabad District.

...RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the affidavit filed therewith, the High Court may be pleased to issue a Writ or direction, more particularly a Writ of Mandamus directing the action of respondents more particularly that of respondent No.3 in undertaking the survey on the applications of the petitioner without identifying or fixing of the boundaries of the land of the petitioner in Sy.No.157/AA1 admeasuring Ac.0-08 guntas, land in Sy.No.167/E admeasuring Ac.0-32 guntas and land In Sy.No.167/EE admeasuring Ac.0-38 guntas totally admeasuring Ac.01-38 guntas situated at Pulsumamidi Village and Gram Panchayat, Vikarabad Mandal, Ranga Reddy District now Vikarabad District Is challenged in this Writ Petition as being arbitrary, illegal and vollative of Art.14, 19(1)(g), 21 and 300-A of Constitution of India and consequently direct the respondent No.3 to get the land surveyed and particularly identify and demarcate the land of the petitioner in Sy.No. 157/AA1 admeasuring Ac.O-08 guntas, land In Sy.No.167/E admeasuring Ac.0-32 guntas and land In Sy.No.167/EE admeasuring Ac.0-38 guntas totally admeasuring Ac.01-38 guntas

IA NO: 1 OF 2020

Petition under Section 151 CPC praying that in the circumstances stated in the affidavit filed in support of the petition, the High Court may be pleased to direct the respondent No.3 to receive the application dated 25/09/2020 and process it forthwith for the purpose of survey of land in Sy.No.157/AA1 admeasuring Ac.0-08 guntas, land in Sy.No.167/E admeasuring Ac.0-32 guntas and land in Sy.No.167/EE admeasuring Ac.0-38 guntas totally admeasuring Ac.01-38 guntas situated at Pulsumamidi Village and Gram Panchayat, Vikarabad Mandal, Ranga Reddy District now Vikarabad District

Counsel for the Petitioner: SRI K. SRINIVASAN

Counsel for Respondents: AGP FOR REVENUE

The Court made the following: ORDER

THE HON'BLE Dr. JUSTICE SHAMEEM AKTHER

WRIT PETITION No.17827 of 2020

ORDER:

This Writ Petition, under Article 226 of the Constitution of India is filed by the petitioner, wherein, the following prayer is made:

> **"...to issue a Writ or direction, more particularly a Writ of Mandamus directing the action of respondents more particularly that of respondent No.3 in undertaking the survey on the applications of the petitioner without identifying or fixing of the boundaries of the land of the petitioner in Sy.No.157/AA1 admeasuring Ac.0.08 guntas, land in Sy.No.167/E admeasuring Ac.0.32 guntas and land in Sy.No.167/EE admeasuring Ac.0.38 guntas totally admeasuring Ac.01.38 guntas situated at Pulsumamidi Village and Gram Panchayat, Vikarabad Mandal, Ranga Reddy District, now Vikarabad District is challenged in this Writ Petition as being arbitrary, illegal and violative of Articles 14, 19(1)(g), 21 and 300-A of Constitution of India and consequently direct the respondent No.3 to get the land surveyed and particularly identify and demarcate the land of the petitioner in Sy.No.157/AA1 admeasuring Ac.O.08 guntas, land in Sy.No.167/E admeasuring Ac.0.32 guntas and land in Sy.No.167/EE admeasuring Ac.0.38 guntas totally admeasuring Ac.01.38 guntas and pass orders...."**

2. Heard the learned counsel for the petitioner, learned Assistant Government Pleader for Revenue appearing for the respondents and perused the record.

3. The learned counsel for the petitioner would contend that the petitioner has purchased the land admeasuring Ac.0.08 guntas in Sy.No.157/AA1, Ac.0.32 guntas in Sy.No.167/E and Ac.0.38 in Sy.No.167/EE, total admeasuring Ac.1.38 guntas situated at Pulsumamidi Village and Gram Panchayat, Vikarabad Mandal, Ranga Reddy District (now Vikarabad District) under a registered sale deed dated 14.07.2006 bearing No.3888/2006, from the original owner. The petitioner paid requisite charges to conduct survey of the subject lands. Though the petitioner

submitted applications dated 23.01.2020 and 25.09.2020 before the respondent No.3-Mandal Revenue Officer, Vikarabad Mandal, Vikarabad District, seeking to conduct survey of the subject lands, no survey has been conducted so far and ultimately prayed to allow the writ petition as prayed for.

4. On the other hand, learned Assistant Government Pleader for Revenue, on written instructions, conceded about filing of application by the petitioner to demarcate the subject lands. The Mandal Surveyor has demarcated the lands in Sy.Nos.157 and 167 situated at Pulsumamidi Village and fixed boundaries of the subject lands *vide* panchanama dated 05.08.2020. The petitioner has filed online application No.RDOCC022000033739 dated 09.09.2020 through Meeseva, seeking certified copies of the Tonch Map and panchanama dated 05.08.2020 and the same were furnished to the petitioner on 09.09.2020 under acknowledgement. The photo copies of the Tonch Map and panchanama dated 05.08.2020 are enclosed to the written instructions.

5. As per the submissions made by the learned Assistant Government Pleader for Revenue, the Mandal Surveyor has already conducted survey, demarcated and fixed the boundaries to the lands in Sy.Nos.157 and 167 of Pulusumamidi Village *vide* panchanama dated 05.08.2020. If the petitioner is aggrieved by the said survey, he may file an Appeal under Section 11 of the A.P. Survey and Boundaries Act, 1923 before the Prescribed

Officer. Therefore, no relief as sought in this writ petition can be granted in favour of the petitioner.

6. With the above observation, the Writ Petition is disposed of. There shall be no order as to costs.

Miscellaneous petitions, if any, pending shall stand closed.

SD/-L.LAKSHMI BABU
ASSISTANT REGISTRAR

//TRUE COPY//

SECTION OFFICER

To,

1. One CC to Sri K.Srinivasa Advocate [OPUC]
2. Two CCs to GP for Revenue, High Court for the State of Telangana (OUT)
3. Two CD Copies

MBC

HIGH COURT

DATED :15/12/2020



ORDER

WP.No.17827 of 2020

DISPOSING OF THE WRIT PETITION

WITHOUT COSTS

07/01/2021