

HON'BLE SRI JUSTICE J. SREENIVAS RAO

WRIT PETITION No.43644 of 2022

ORDER:

This Writ petition is filed seeking writ of Mandamus declaring the action of respondent Nos.2 to 4 in interfering with petitioners peaceful possession and enjoyment over their agriculture lands in Sy.No.18/part admeasuring Acs.2-05 gts and Sy.No.18/part admeasuring Acs.0-35 gts and Sy.No.18 admeasuring Acs.1-10 gts thus in total Acs.4-10 gts situated at Gajularamaram Village, Quthbullapur Mandal, Medchal -Malkajgiri District, without assistance of Respondent Nos.6 and 7 and pending compliance of notice proceedings No.E/105/2021 and E/106/2021 dated 03/02/2021 issued by the Respondent No.6 as illegal, arbitrary, unjust and unconstitutional being violation of Articles 14, 21 and 300 - A of the Constitution of India and also in violation of provisions of Telangana Forest Act 1967 besides violation of Principles of Natural Justice and consequently direct the respondent Nos.5 to 7 to conduct survey and fix boundaries of land in Sy.No.18/part admeasuring Ac.2-05 gts and Sy.No. 18/part admeasuring Ac.0-35 gts and Sy.No.18 admeasuring Ac.1-10 gts thus in total Ac 4-10

gts situated at Gajularamaram Village Quthbullapur Mandal Medchal - Malkajgiri District.

2. Heard Sri C. Shanmukha Rao, learned counsel for the petitioners, learned Assistant Government Pleader for Forest appearing on behalf of respondent Nos.1 to 4 and learned Assistant Government Pleader for Revenue appearing on behalf of the respondent Nos.5 to 7.

3. Learned counsel for the petitioner submits that the petitioners are the owners of the land in Survey No.18/part admeasuring to an extent of Ac.2-05 guntas and Survey No.18/part admeasuring to an extent of Ac.0-35 guntas and Survey No.18 admeasuring Ac.1-10 guntas, in total Ac.4-10 guntas situated at Gajularamaram Village, Quthbullapur Mandal, Medchal - Malkajgiri District and basing on the representation dated 18.11.2020 submitted by the petitioner, respondent No.6 deputed respondent No.7 to conduct Survey. On 03.02.2021 Surveyor Quthbullapur tahsil issued notice *vide* No.E/105/2021 and E/106/2021 informing the petitioners and others that demarcation of petitioners' land will be conducted on 10.02.2021 at 10.30 A.M. and due to non-cooperation of the Forest Officials the survey was not conducted. He requested the Court to issue

necessary directions to the respondent Nos.6 and 7 to conduct Joint Survey and fix the boundaries to petitioners' land.

4. Learned Assistant Government Pleader for Forests submits that respondent No.4 and his subordinate officers are ready to participate in the Joint Survey as and when the date is fixed by the concerned revenue authorities.

5. In view of the submissions made by the respective parties and also the specific averments made by respondent No.4, without going into the merits of the case, the writ petition is disposed of directing respondent Nos.6 and 7 to conduct Joint Survey and fix the boundaries to the petitioners' land, after issuing notices to the respective parties within a period of three (3) months from the date of receipt of the copy of the order. No costs.

As a sequel, miscellaneous petitions, pending if any, shall stand closed.

JUSTICE J. SREENIVAS RAO

14th February, 2023
PSW/GV

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