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

WEDNESDAY, THE ELEVENTH DAY OF DECEMBER
TWO THOUSAND AND TWENTY FOUR

PRESENT

THE HONOURABLE SRI JUSTICE C.V. BHASKAR REDDY

WRIT PETITION NO: 34851 OF 2024

Between:

Cheruku Badri Narayana Goud, S/o. Ch.Balaiah, Age 61 years, Occ : Business, R/o.H.No.1-30, Pocharam Village, Ranga reddy District.

.....PETITIONER

AND

1. The State of Telagana, Rep.by its Principal Secretary, Revenue Department, Secretariat Buildings, Saifabad, Hyderabad.
2. The District Collector, Medchal Malkajigiri District at Shamirpet.
3. The Revenue Divisional Officer, Kesara Medchal Malkajigiri District at Kesara.
4. The Tahsildar, Uppal Mandal, Medchal Malkajigiri District at Uppal.
5. The Mandal Surveyor, Uppal mandal, Medchal Malkajigiri District at Uppal.

.....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, One in the nature of a Writ of Mandamus or any other appropriate Writ, Direction or Order declaring the in action of the respondents No. 4 and 5 in not issuing the Survey report which was conducted by the respondent No.4 and 5, on.11/11/2023 vide file No.B/2478/24 basing on the petitioner application on.28.10.2024 vide application No.DER022401105171 in respect of land admeasuring an extent of Ac.2-00 Gts in Survey No.31 situated at Nacharam Village, Uppal Mandal, Medchal Malkajigiri District, is illegal, arbitrary and in violation of the principles of natural justice consequently direct

the respondents No.4 and 5 to furnish the survey report which was conducted by the respondent. No.4 and 5, on.11/11/2023 vide file No.B/2478/24.

I.A.NO:1 OF 2024

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 3rd respondent to direct the respondents No.4 and 5 to furnish the survey report which was conducted by the respondent No.4 and 5, on.11/11/2023 vide file No.B/2478/24 disposal of the above writ petition.

Counsel for the Petitioner : SRI MULLANGI RAMI REDDY

Counsel for the Respondents : AGP FOR REVENUE

The Court made the following ORDER

HON'BLE SRI JUSTICE C.V.BHASKAR REDDY

WRIT PETITION No.34851 of 2024

ORDER:

This Writ Petition, under Article 226 of the Constitution of India, is filed seeking the following relief:

> *"....to issue a Writ One in the nature of a Writ of Mandamus or any other appropriate Writ, Direction or Order declaring the in action of the respondents No.4 and 5 in not issuing the Survey report which was conducted by the respondent No. 4 and 5 on 11/11/2024 vide file No.B/2478/24 basing on the petitioner application on 28.10.2024 vide application No.DER022401105171 in respect of land admeasuring an extent of Ac.2-00 Gts in Survey No.31 situated at Nacharam Village, Uppal Mandal, Medchal-Malkajigiri District is illegal, arbitrary and in violation of the principles of natural justice consequently direct the respondents No.4 and 5 to furnish the survey report which was conducted by the respondents No.4 and 5 on 11/11/2023 vide file No.B/2478/24...."*

2. Considered the submissions of the learned counsel for the respective parties and perused the record.

3. It is stated that the petitioner is the owner and possessor of land admeasuring Ac.2-00 guntas in Sy.No.31 situated at Nacharam Village, Uppal Mandal, Medchal-Malkajigiri District, having acquired the same by way of judgment and decree, dated 06.11.2023 in O.S.No.41 of 2023 before the Principal Senior Civil Judge, Medchal-Malkajgiri District, at Kushaiguda. It is further stated that after obtaining said decree, the petitioner submitted an E-Line application *vide* No.DER022401105171, dated 28.10.2024

for conducting survey and fixation of boundaries in respect of the subject property and acting on the said application, respondent Nos.4 and 5 issued notices to all the concerned parties and conducted survey on 11.11.2024 in the presence of the adjacent pattadars. The grievance of the petitioner is that even after conducting survey, respondent Nos.4 and 5 have not furnished a copy of the said survey report to the petitioner and are also not fixing the boundaries to the lands in which the survey has been conducted.

4. Learned counsel for the petitioner submitted that the petitioner is ready to bear the expenditure for installation of the boundary stones for fixation boundaries over the subject property.

5. In view of the above, this Court, deems it appropriate to dispose of the writ petition directing respondent No.4 to furnish a copy of the survey report conducted on 11.11.2024 to the petitioner, along with the tounch plan and fix the boundaries over the subject property, within a period of four (4) weeks from the date of receipt of a copy of this order, subject to the petitioner bearing necessary expenditure.

6. With the above observations this writ petition is disposed of. No order as to costs.

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

SD/-T. TIRUMALA DEVI
ASSISTANT REGISTRAR

//TRUE COPY//

SECTION OFFICER

To

1. The Principal Secretary, Revenue Department, Secretariat Buildings, Saifabad, State of Telagana at Hyderabad.
2. The District Collector, Medchal Malkajigiri District at Shamirpet.
3. The Revenue Divisional officer, Kesara Medchal Malkajigiri District at Kesara.
4. The Tahsildar, Uppal Mandal, Medchal Malkajigiri District at Uppal.
5. The Mandal Surveyor, Uppal mandal, Medchal Malkajigiri District at Uppal.
6. Two CCs to GP FOR REVENUE, High Court for the State of Telangana at Hyderabad. [OUT]
7. One CC to SRI MULLANGI RAMI REDDY, Advocate [OPUC]
8. Two CD Copies

SA
BS

HIGH COURT

DATED:11/12/2024



ORDER

WP.No.34851 of 2024

DISPOSING OF THE W.P

WITHOUT COSTS.

(11) Copies
Sm
30/12/24