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

MONDAY ,THE THIRTIETH DAY OF DECEMBER
TWO THOUSAND AND TWENTY FOUR

PRESENT

THE HONOURABLE SRI JUSTICE C.V. BHASKAR REDDY

WRIT PETITION NO: 36716 OF 2024

Between:

Smt. Kalal @ Ediga Swaroopa, w/o Hanmaiah, aged about 66 years, occ. Agriculture, r/o Dharoor village and Mandal, Vikarabad District.

...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, Dharoor Mandal, Vikarabad District.
4. The Assistant Director, Survey and Land Records, 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 an appropriate Writ, Order or Direction, more particularly one in the nature of Writ of Mandamus, declaring the inaction of the respondents in conducting survey, demarcation and fixing the boundaries in respect of the land in inspite of the F-line application bearing No. TTDER022300911505 dt. 24-3-2023 and another Application No.TTA0D02240006076 dt. 12-3-2024, as being illegal, arbitrary, unjust and unconstitutional and consequently direct the respondent authorities to conduct survey, demarcation and fix the boundary stones in respect of the above mentioned land

IA 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 respondent authorities to consider the F-line application bearing No.TTDER022300911505 dt. 24-3-2023 and another Application No. TTA0D02240006076 dt. 12-3-2024, pending disposal of the main Writ Petition, in the interest of justice

Counsel for the Petitioner: SRI. AMARAGANI MALSOOR

Counsel for the Respondents: GP FOR REVENUE

The Court made the following: ORDER

HON'BLE SRI JUSTICE C.V.BHASKAR REDDY

WRIT PETITION No.36716 of 2024

ORDER:

This writ petition is filed declaring the action of respondent Nos.3 and 4 in not considering the E-Line application, dated 24.03.2023 and application for appeals on demarcation, dated 12.03.2024 submitted by the petitioner seeking for conducting survey and demarcation of the land to an extent of Acs.2.29 guntas in Sy.No.221/AA/1 situated at Dharoor Village and Mandal, Vikarabad District and non-initiating to fix the boundaries to the petitioner's land, as illegal and arbitrary and for other appropriate reliefs.

2. It is stated that the petitioner is the pattadar and possessor of the agriculture land Acs.2.29 guntas in Sy.No.221/AA/1 situated at Dharoor Village and Mandal, Vikarabad District. It is further stated that the name of the petitioner was reflected in all the revenue records as pattadar and the revenue authorities also issued e-pattadar pass book bearing No.T07040150484 *vide* Khata No.1056 under the provisions of the Telangana Rights in Land and Pattadar Passbooks Act, 2020. It is the further case of the petitioner that when neighbouring land owners have started disturbing the boundaries of the subject land and as such, the

petitioner had submitted F-line application, dated 24.03.2023 and for appeals on demarcation, dated 12.03.2024 to conduct the survey and demarcation of the subject land and fix the boundaries. The grievance of the petitioner is that even after receiving the said applications, the respondent authorities are not conducting survey and fixation of the boundaries.

3. Considered the submissions of the learned counsel for the petitioner, learned Assistant Government Pleader for Revenue appearing for the respondents and with their consent this writ petition is disposed of at the admission stage.

4. Learned counsel for the petitioner has submitted that in terms of the circular issued by the Commissioner, Survey, Settlements and Land Records, the respondents are bound to consider the application within 45 days from the date of the application after collecting necessary charges.

5. Learned Assistant Government Pleader for Revenue appearing for the respondents has submitted that the respondent authorities will consider the aforesaid application submitted by the petitioner by following due procedure laid down under law and conduct survey and demarcate the subject land by fixing boundaries.

6. It is settled law that the Survey Department has the authority to conduct survey and demarcate lands in accordance with the provisions of the Telangana Land Revenue Act, 1317 Fasli (Act No. VIII of 1317 Fasli), the Telangana Survey and Boundaries Act, 1923, and the Rules framed thereunder. The Government has issued various circulars specifying the conditions for conducting surveys, particularly F-Line (field measurement) surveys. Individuals requesting such surveys are required to submit specific documents, and if the conditions stipulated in the circulars are fulfilled, the survey and boundary fixation may be conducted. The Commissioner, Survey, Settlements and Land Records, exercising powers under the Telangana Survey and Boundaries Act, 1923, issued relevant circulars from time to time vide Rc.No.N1/6543/99, dated 25.07.2001, Rc.No.N1/1408/07, dated 13.07.2007, and Rc.No.N2/1741/2010, dated 18.05.2010 stipulating the conditions for conducting survey of private lands and as per the said circulars, if the petitioner fulfils all the conditions of the said circular, it is an obligation for the respondents to conduct survey within the time specified in the said circulars.

7. In view of the aforesaid discussion, this Court deems it appropriate to dispose of this writ petition directing respondents

Nos.3 and 4 to examine the petitioner's F-Line application, dated 24.03.2023 and application for appeals on demarcation *vide* No.AOD02240006076, dated 12.03.2024 submitted for conducting survey and demarcation by fixing boundary stones to the petitioner's land to an extent of Acs.2.29 guntas in Sy.No.221/AA/1 situated at Dharoor Village and Mandal, Vikarabad District and if the petitioner fulfils all the conditions mentioned in the circulars issued by the Commissioner, Survey, Settlements and Land Records from time to time, after issuing notices to all the persons interested and adjacent pattadars and after considering their objections, respondent Nos.3 and 4 shall conduct survey of the aforesaid land, within a period of eight (8) weeks from the date of receipt of a copy of this order.

8. With the above observations, this Writ Petition is disposed of. There shall be no order as to costs.

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

SD/-K. AMMAJI
ASSISTANT REGISTRAR

//TRUE COPY//

SECTION OFFICER

To,

1. The Principal Secretary, Revenue Department Secretariat, T.S.,Hyderabad.
2. The District Collector, Vikarabad District at Vikarabad.
3. The Tahsildar, Dharoor Mandal, Vikarabad District.
4. The Assistant Director, Survey and Land Records, Vikarabad District.
5. One CC to SRI. AMARAGANI MALSOOR, Advocate [OPUC]
6. Two CCs to GP FOR REVENUE ,High Court for the State of Telangana at Hyderabad [OUT]
7. Two CD Copies

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BS

HIGH COURT

DATED:30/12/2024



ORDER

WP.No.36716 of 2024

DISPOSING OF THE WRIT PETITION
WITHOUT COSTS

10 copies
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