

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

**WEDNESDAY, THE TWENTY NINTH DAY OF NOVEMBER
TWO THOUSAND AND TWENTY THREE**

PRESENT

THE HONOURABLE SRI JUSTICE B.VIJAYSEN REDDY

WRIT PETITION NO: 32516 OF 2023

Between:

Malgireddy Santhosha, W/o. M. Ram Reddy, Aged about 38 years, Occ. House wife, R/o. H.No. C 59, Mahmadhapuram village, Nampally Mandal, Gatlamallepalli Post, Nalgonda District

...PETITIONER

AND

1. State of Telangana, Rep by its Principal Secretary, Revenue Department, Secretariat Building, Hyderabad.
2. District Collector, Nalgonda District, Nalgonda.
3. Assistant Director Survey and Land Record, Nalgonda District, Nalgonda
4. The Tahsildar, Chandur Mandal, Nalgonda District.
5. Mandal Surveyor, Chandur Mandal, Nalgonda 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, order or direction more particularly a Writ in the nature of Mandamus declaring the action of Respondent No 5 in not conducting the survey and sub-division of the agricultural land to an extent of Acres 03-23 Guntas in Survey No. 143/2 situated at Thummalapalli village, Chanduru Mandal, Nalgonda District, as being illegal, arbitrary and violative of principles of natural justice and violative of Articles 14, 21 and 300-A of the Constitution of India and consequently direct the Respondent No 5 to conduct survey and sub-division of the agricultural land to an extent of Acres 03-23 Guntas in Survey No. 143/2 situated at Thummalapalli village, Chanduru Mandal, Nalgonda District and fix boundary stones thereat.

IA NO: 1 OF 2023

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 5 to conduct survey and sub-division of agricultural land to an extent of Acres 03-23 Guntas in Survey No. 143/2 situated at Thummalapalli village, Chanduru Mandal, Nalgonda District and fix boundary stones thereat pending disposal of the above Writ Petition.

Counsel for the Petitioner: SRI MALIPEDDI SRINIVAS REDDY

Counsel for the Respondents: AGP FOR REVENUE

The Court made the following: ORDER

HONOURABLE SRI JUSTICE B. VIJAYSEN REDDY

WRIT PETITION No.32516 OF 2023

ORDER: (ORAL)

This writ petition is filed aggrieved by the action of respondent No.5 in not conducting the survey and sub-division of the agricultural land to an extent of Acs.03-23 guntas in Survey No.143/2 situated at Thummalapalli Village, Chanduru Mandal, Nalgonda District, pursuant to online application No.AOD022300057282 dated 04.09.2023 submitted by the petitioner, as illegal, arbitrary and unconstitutional.

2. The petitioner claims to be the absolute owner and possessor of the agricultural land admeasuring Acs.3-23 guntas in Survey No.143/2 situated at Thummalapalli Village, Chanduru Mandal, Nalgonda District, having acquired the same through inheritance. The name of the petitioner is mutated in revenue records and she was issued pattadar passbook No.T28040170575 with Khata No.1131 on 21.08.2020. With an intention to fence and secure the subject property, the petitioner submitted F-line application No.AOD022300057282 dated 04.09.2023 for conducting survey and sub-division of the subject property.

3. Heard learned counsel for the petitioner and learned Assistant Government Pleader for Revenue, and perused the material available on record.

4. Learned counsel for the petitioner submitted that respondent No.4 is the competent authority under the provisions of the Telangana Survey and Boundaries Act, 1923 (for short, 'Act 1923') for conducting the survey and demarcation of the subject land pursuant to F-line application of the petitioner, however respondent Nos.4 and 5 did not act upon the said application and abdicated to perform their statutory duty under Section 10 of Act 1923, therefore, the petitioner is constrained to approach this Court.

5. Learned Assistant Government Pleader for Revenue submitted that appropriate action will be taken on F-line application of the petitioner.

6. Recording the aforesaid submissions of the learned Assistant Government Pleader for Revenue, this writ petition is disposed of directing respondent Nos.4 and 5 to consider F-line application No.AOD022300057282 dated 04.09.2023 submitted by the petitioner for conducting survey and sub-division of the agricultural land to an extent of Acs.03-23 guntas in Survey No.143/2 situated at Thummalapalli Village, Chanduru Mandal, Nalgonda District, by issuing notice to the concerned/interested persons and pass orders in accordance with law within a period of three (03) months from the date of receipt of a copy of this order. No order as to costs.

As a sequel thereto, miscellaneous applications, if any, pending in the writ petition stand closed.

SD/-N.CHANDRA SEKHAR RAO
ASSISTANT REGISTRAR

//TRUE COPY//

SECTION OFFICER

To, The Principal Secretary, Revenue Department, Secretariat Building, Hyderabad, State of Telangana.

1. The District Collector, Nalgonda District, Nalgonda.
2. The Assistant Director Survey and Land Record, Nalgonda District, Nalgonda
3. The Tahsildar, Chandur Mandal, Nalgonda District.
4. The Mandal Surveyor, Chandur Mandal, Nalgonda District
5. One CC to SRI MALIPEDDI SRINIVAS REDDY, Advocate [OPUC]
6. Two CCs to GP FOR REVENUE, High Court for the State of Telangana at Hyderabad [OUT]
7. Two CD Copies

BSR *Pr*

BS

HIGH COURT

DATED: 29/11/2023

ORDER

WP.No.32516 of 2023



**DISPOSING OF THE WRIT PETITION,
WITHOUT COSTS**

11 copies
PR
15/12/23