

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

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

PRESENT

THE HONOURABLE SRI JUSTICE K.LAKSHMAN

WRIT PETITION NO: 27004 OF 2024

Between:

Universal Muslim Minorities Association, Having its Office at H.No.4-9-138 in Sy No 9/P Alampally Road, Chandraban Colony, Vikarabad, Ranga Reddy District represented By its Treasurer Sri.Mohammed Ibrahim S/o.Mohammed , aged about 50 years, H.No.4-1-508/1, Venkateshwara Colony, Vikarabad Municipality, R.R. District

...PETITIONER

AND

1. The State of Telangana, Rep. by its Principal Secretary, Revenue Department Secretariat Building, Hyderabad
2. The District Collector Vikarabad, Vikarabad District
3. The Assistant Director, Survey and Land Records Vikarabad District.
4. The Tahsildar, Manneguda Payaga Village, Pudur 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 order or direction, more particularly one in the nature of writ of mandamus, declaring the action of the respondents 1 to 4 and respondent No.4 in particular in not conducting survey, demarcation and fixing of boundaries by way of issuing panchanama to the petitioner in respect of the Schedule property covered by non agricultural land covered under Survey No. 90/P admeasuring Ac. 4.26 gts, situated at Manneguda, Payaga Village, Manneguda Gram Panchayat, Pudur Mandal, Vikarabad District inspite of receipt of the petitioner written application vide application No. DER022401090416 Dt:20.8.2024 received through Mee-Seva as illegal, arbitrary, unjust and also against the provisions of Survey

and Boundaries Act, 1923 and against Articles, 14, 19 and 300-A of the Constitution of India

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 respondents especially Respondent No.4 to conduct the survey and fix the boundaries of the petitioner non agricultural land covered under Survey No. 90/P admeasuring Ac. 4.26 gts, situated at Manneauda, Payaga Village, Manneguda Gram Panchayat, Pudur Mandal, Vikarabad District forthwith pending disposal of the main Writ Petition.

Counsel for the Petitioner: SRI MD OMER UL HAQ

Counsel for the Respondents: SRI L. RAVINDER, AGP FOR REVENUE

The Court made the following; ORDER

HON'BLE SRI JUSTICE K. LAKSHMAN

WRIT PETITION No.27004 OF 2024

ORAL ORDER:

Heard Sri Mohammed Orner Ul Haq, learned counsel for the petitioner and Sri L.Ravinder, learned Asst.Govt.Pleader for Revenue.

2. The petitioner Association is claiming that it is the absolute owner and possessor of the land admeasuring Ac.4.26 guntas in Sy.No.90/P situated at Manneguda Payaga Village, Pudur Mandal, Vikarabad District (for short, 'the subject property'). In proof of the same, it has filed registered sale deed bearing document No.6134 of 2016, dated 07.09.2016. The petitioner Association has submitted P-Line application vide Id.No.DER022401090416, dated 20.08.2024 with 4th respondent with a request to conduct survey and demarcate the subject property by fixing boundaries. The petitioner Association has also submitted written representation dated 18.09.2024 to the 4th respondent with a request to conduct survey and also marked a copy of the said representation to the 2nd respondent. Despite receiving and acknowledging the same, the 4th respondent did not act upon it. Aggrieved by the said inaction of respondent Nos.2 and 4, the petitioner Association filed the present writ petition.

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3. Whereas, learned Ast.Govt.Pleader for Revenue, on instructions, would submit that respondent Nos.2 and 4 will consider the said F-Line application submitted by the petitioner Association in accordance with law.

4. In the light of the said submissions, the writ petition is disposed of directing the respondent No 4 to consider the F-line application vide Id.No.DER022401090416, dated 20.08.2024 and conduct survey in accordance with law by putting the petitioner Association and all interested parties on notice and affording them an opportunity. If 2nd respondent is not inclined to consider F-line application of the petitioner Association, he shall pass a reasoned order and communicate a copy of the same to the petitioner Association. He shall complete the said exercise within 45 working days from the date of receipt of a copy of this order. In the circumstances of the case, there is no order as to costs.

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

SD/-A.V.S. PRASAD
ASSISTANT REGISTRAR


//TRUE COPY//

SECTION OFFICER

To,

1. The Tahsildar, Manneguda Payaga Village, Pudur Mandal, Vikarabad District.
2. One CC to Sri MD Omer ul Haq, Advocate [OPUC]
3. Two CCs to GP for Revenue, High Court for the State of Telangana, at Hyderabad [OUT]
4. Two CD Copies

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HIGH COURT

DATED:30/09/2024

ORDER

WP.No.27004 of 2024



DISPOSING OF THE WRIT PETITION
WITHOUT COSTS

(7) (Copies)

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4/10/24