



**IN THE HIGH COURT OF ANDHRA PRADESH
AT AMARAVATI
(Special Original Jurisdiction)**

[3330]

**WEDNESDAY, THE EIGHTH DAY OF OCTOBER
TWO THOUSAND AND TWENTY FIVE**

**PRESENT
THE HONOURABLE SRI JUSTICE TARLADA RAJASEKHAR RAO**

WRIT PETITION NO: 26756/2025

Between:

1. YENUGULA JITHENDRA BALA SUBRAHMANYAM,
S/O.SRINIVASA RAO, AGED 25 YEARS, R/O. D.NO. 24B-16-
15/9, DIVISION NO.31, PHATEBHADA, ELURU, ELURU
(ERSTWHILE WEST GODAVARI) DISTRICT

...PETITIONER

AND

1. THE STATE OF ANDHRA PRADESH, REPRESENTED BY ITS
PRINCIPAL SECRETARY, DEPARTMENT OF REVENUE,
SECRETARIAT, VELAGAPUDI, AMARAVATI, GUNTUR
DISTRICT.
2. THE DISTRICT COLLECTOR, ELURU (ERSTWHILE WEST
GODAVARI) DISTRICT AT ELURU.
3. THE REVENUE DIVISIONAL OFFICER, ELURU, ELURU
(ERSTWHILE WEST GODAVARI) DISTRICT.
4. THE TAHSILDAR, PEDAVEGI MANDAL, ELURU (ERSTWHILE
WEST GODAVARI) DISTRICT.
5. THE MANDAL SURVEYOR, PEDAVEGI MANDAL, ELURU
(ERSTWHILE WEST GODAVARI) DISTRICT.
6. THE VILLAGE REVENUE OFFICER, KUTCHAMPUDI
PEDAVEGI MANDAL, ELURU (ERSTWHILE WEST
GODAVARI) DISTRICT.

...RESPONDENT(S)

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 on the part of the respondents particularly the respondents 4 to 6 in respect of the request of the petitioner through Online F-Line Application NO.FSNVOI2500810400, dated 12.08.2025 to conduct survey and fix boundaries with regard to his landed property admeasuring Ac.1.15 cents covered by Survey No.392-1 situated in Ramasingavaram Revenue Village, Pedavegi Mandal, Eluru

(Erstwhile West Godavari) District by issuing endorsement dated 19.09.2025, as illegal, irregular, irrational, violation of provisions of Andhra Pradesh Survey and Boundaries Act, 1923 and Board Standing Order 34-A and 34-B of Andhra Pradesh Board of Revenue Standing Orders and offends Articles 14, 8, 21 of Constitution of India and to consequently direct the respondents 4 and 5 to conduct survey and fix boundaries for the aforesaid land of the petitioner in the interest of justice and to pass

IA NO: 1 OF 2025

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 4 and 5 to conduct survey and fix boundaries for the petitioner's landed property admeasuring Ac.1.15 cents covered by Survey No.392-1, Ramasingavaram Revenue Village, Pedavegi Mandal, Eluru (Erstwhile West Godavari) District situated pursuant to the Online F-Line Application NO.FSNV012500810400, dated 12.08.2025, pending disposal of the main Writ Petition in the interest of justice and to pass

Counsel for the Petitioner:

1.K JYOTHI PRASAD

Counsel for the Respondent(S):

1.GP FOR REVENUE

The Court made the following:

THE HONOURABLE SRI JUSTICE TARLADA RAJASEKHAR RAO

WRIT PETITION NO. 26756 of 2025

ORDER:

The present Writ Petition is filed under Article 226 of the Constitution of India seeking the following relief:

“...to issue an appropriate Writ, Order or direction more particularly one in the nature of Writ of Mandamus declaring the inaction on the part of the respondents particularly the respondents 4 to 6 in respect of the request of the petitioner through Online F-Line Application NO.FSNVOI2500810400, dated 12.08.2025 to conduct survey and fix boundaries with regard to his landed property admeasuring Ac.1.15 cents covered by Survey No.392-1 situated in Ramasingavaram Revenue Village, Pedavegi Mandal, Eluru (Erstwhile West Godavari) District by issuing endorsement dated 19.09.2025, as illegal, irregular, irrational, violation of provisions of Andhra Pradesh Survey and Boundaries Act, 1923 and Board Standing Order 34-A and 34-B of Andhra Pradesh Board of Revenue Standing Orders and offends Articles 14 8, 21 of Constitution of India and to consequently direct the respondents 4 and 5 to conduct survey and fix boundaries for the aforesaid land of the petitioner in the interest of justice and pass such other order or orders as this Hon’ble Court may deem fit and proper in the circumstances of the case”.

2. The petitioner herein filed an online application vide application No.FSNV012500810400, dated 12.08.2025 to conduct survey and to fix boundaries for the petitioner’s land to an extent of Ac.1.15 cents covered by Survey No.392-1 situated at Ramasingavaram Revenue Village, Pedavegi Mandal, Eluru (Erstwhile West Godavari) District. The said application was rejected by the Mandal Surveyor vide endorsement, dated 19.09.2025 stating that it was not possible to conduct survey as an objection was raised by the neighbouring boundary holder one Sri Ramanujam Srinivas.

3. Learned counsel for the petitioner would submit that the said endorsement is contrary to Section 10(1) of the Andhra Pradesh Survey and Boundaries Act, 1923 and to substantiate the said contention, learned counsel relied on the orders, dated 14.07.2021 and 04.08.2021 of this Court in W.P.No.13217 of 2021 and 15861 of 2021 and the relevant portion reads as follows:

“Powers of the survey officer to determine and record a disputed boundary is prescribed under Section 10 of the Act. Section 10 (1) of the Act, mandates that where a boundary is disputed, the survey officer, after making such inquiry as he considers necessary, shall determine the boundary and record in writing the reasons for his decision. Sub-Section (2) of Section 10 of the Act says that notice of every decision of the survey officer under Section 10 (1) shall be given in the prescribed manner to the parties to the dispute and other registered holders of the lands, the boundaries of which may be affected by the decision. In the present facts of the case, the Survey officer did not take any decision as required under Section 10 3 (1) of the Act and communicated as mandated under Section 10 (2) of the Act to enable the petitioner to file an appeal under Section 11 of the Act. Therefore, inaction of the Survey Officer is contrary to Section 10 (1) of the Act. Hence, I find that it is a fit case to issue a direction to the respondents to take a decision in terms of Section 10 (1) of the Act and communicate the same to the petitioner in terms of Section 10 (2) of the Act, within one (1) month from today.”

4. Learned Assistant Government Pleader would submit that one Ramanujam Srinivas is objecting to conduct survey by the respondent authorities.

5. The issue in the present writ petition is squarely applicable to findings of the orders of this Court (referred surpa), hence, this Court is inclined to set aside the endorsement dated 19.09.2025 and further directs the respondents 4 to 6 to conduct survey strictly adhering to the procedure prescribed under Section 10(1)(2) of the Andhra Pradesh Survey and Boundaries Act, 1923.

6. Accordingly, the Writ Petition is allowed. There shall be no order as to costs.

As a sequel thereto, Interlocutory Applications pending, if any, shall stand closed.

JUSTICE TARLADA RAJASEKHAR RAO

Date: 08.10.2025

SPP

THE HON'BLE SRI JUSTICE TARLADA RAJASEKHAR RAO

W.P.No. 26756 OF 2025

Date: 08.10.2025

SPP