



**IN THE HIGH COURT OF ANDHRA PRADESH AT AMARAVATI
(SPECIAL ORIGINAL JURISDICTION)**

TUESDAY ,THE TWENTIETH DAY OF DECEMBER

TWO THOUSAND AND TWENTY TWO

**:PRESENT:
THE HONOURABLE SRI JUSTICE D RAMESH**

WRIT PETITION NO: 40917 OF 2022

Between:

A S S R Sarma, S/o. Lakshmi Narasimha Aged 80 years, R/o. Anakapalli Village Rep.by its GPA Holder Mr.D.V.Mahesh S/o. Sanyasi Naidu, aged 54 years, R/ o. D.No.37-12-71/6, Murali Nagar, N.G.O's Colony, Visakhapatnam.

Petitioner

AND

1. The State of AP, rep.by its Principal Secretary Revenue Department, Secretariate, Amaravati, Guntur District.
2. The Joint Collector, Visakhapatnam
3. Assistant Director, District Survey and Land Records Visakhapatnam.
4. Deputy Inspector of Survey, Visakhapatnam.
5. Mandal Surveyor, Pendurthi Mandal, Anakapalli District.
6. Town Surveyor, Greater Visakhapatnam, Zone VIII, Visakhapatnam.
7. Special Surveyor, Visakhapatnam Metropolitan Region Development Authority, Visakhapatnam.
8. The Greater Visakhapatnam Municipal Corporation, Rep. by its Commissioner, Visakhapatnam.
9. Visakhapatnam Metropolitan Region Development Authority, Rep.by its Metropolitan Commissioner, Visakhapatnam.
10. Vasa Kavya Sri, W/o. Leela Krishna Prasada Rao, Aged 33 years, R/ o. Door.No. 21 - 137, Venkatadri Nagr, Visakhapatnam.
11. Vasa Leela Krishna Prasada Rao, S/o. Satyanarayana, Aged 40 years, R/o. Door.No. 21-137, Venkatadri Nagr, Visakhapatnam.

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 any writ, order or direction more particularly one in the nature of writ of

mandamus declaring the action of the 2nd respondent in ordering survey vide orders 27-8-2022 and the action of the respondents 4 to 7 in proceeding to conduct fresh survey by ignoring the Survey conducted by competent authorities and without issuing notice to the petitioner is illegal, arbitrary and violation of principles of natural justice and consequently direct the respondents No.2, 4 to 7 to conduct the survey to locate Plot No.322 as per the boundaries fixed by the respondent No.3 in its previous survey .

IA NO: 1 OF 2022

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 to conduct survey to localize plot No.322 with reference to the survey conducted by Respondent No. 3 and 4 demarcating boundaries between 164/1 and 164/ 1A , Vepagunta Village, Pendurthi Mandal, Visakhapatnam , Pending disposal of WP 40917 of 2022, on the file of the High Court.

The petition coming on for hearing, upon perusing the Petition and the affidavit filed in support thereof and upon hearing the arguments of Sri V V SATISH Advocate for the Petitioner and of GP FOR REVENUE for the Respondent Nos. 1 to 5, Sri V SURYA KIRAN KUMAR, Advocate for Respondent Nos. 7 and 9, Sri S LAKSHMI NARAYA REDDY, Advocate for Respondent Nos. 6,8 the Court made the following.

ORDER

“Learned counsel for the petitioner is permitted to take out personal notice to Respondent Nos.10 and 11 by RPAD and file proof of service into the Registry.

Sri V.Surya Kiran Kumar, learned Standing Counsel takes notice for Respondent Nos.7 and 9.

The contention of the learned counsel for the petitioner is that the 2nd respondent has issued the impugned proceedings dated 27.08.2022 whereunder the 2nd respondent has stated that the Zonal Commissioner, Zone VII, GVMC stated that the unofficial respondent sought for building permission for plot No.322 in Sy.No.164/1A and the petitioner submitted objections stating that his plot falls in Sy.No.164/1 and requested him to arrange a Joint Survey with Mandal Surveyor, Pendurthi, Town Surveyor,

GVMC and VMRDA Surveyor. Hence, the 2nd respondent appointed a team consists of Deputy Inspector of Survey, Mandal Surveyor, Town Surveyor-GVMC and Special Surveyor, VMRDA.

Learned counsel for the petitioner submits that the team of surveyors have not served any notice to the petitioner and they unilaterally conducting re-survey without referring to the earlier survey conducted by the Assistant Director, District Survey land records on 07.06.2012.

Considering the submissions of the learned counsel for the petitioner and on perusal of the material available on record, The Deputy Inspector of Survey, Mandal Surveyor, Town Surveyor-GVMC and Special Surveyor, VMRDA are directed to take into consideration the survey reports dated 24.12.2015 and 07.06.2012 and also the objections submitted by the petitioner while conducting survey.

Post after Pongal Vacation, 2023.”

Sd/- T. MADHAVI
ASSISTANT REGISTRAR

//TRUE COPY//

For ASSISTANT REGISTRAR

To,

1. The Principal Secretary Revenue Department, Secretariate, Amaravati, Guntur District.
2. The Joint Collector, Visakhapatnam .
3. The Assistant Director, District Survey and Land Records Visakhapatnam.
4. The Deputy Inspector of Survey, Visakhapatnam.
5. The Mandal Surveyor, Pendurthi Mandal, Anakapalli District.
6. The Town Surveyor, Greater Visakhapatnam, Zone VIII, Visakhapatnam.
7. The Special Surveyor, Visakhapatnam Metropolitan Region Development Authority, Visakhapatnam.

8. The Commissioner ,Greater Visakhapatnam Municipal Corporation, Visakhapatnam.
9. The Metropolitan Commissioner,Visakhapatnam Metropolitan Region Development Authority, Visakhapatnam.
10. Vasa Kavya Sri, W/o. Leela Krishna Prasada Rao, R/ o. Door.No. 2 1 - 137, Venkatadri Nagr, Visakhapatnam.
11. Vasa Leela Krishna Prasada Rao, S/o. Satyanarayana, R/o. Door.No. 21- 137, Venkatadri Nagr, Visakhapatnam. (Addressess 1 to 11 by RPAD)
12. One CC to SRI. V V SATISH Advocate [OPUC]
13. One CC to SRI. V SURYA KIRAN KUMAR Advocate [OPUC]
14. One CC to SRI. LAKSHMI NARAYA REDDY Advocate [OPUC]
15. Two CCs to GP FOR REVENUE ,High Court Of Andhra Pradesh. [OUT]
16. One spare copy.

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HIGH COURT

DRJ

DATED:20/12/2022

POST AFTER PONGAL VACATION

ORDER

WP.No.40917 of 2022

DIRECTION

